

## REAL ESTATE

### **Missing Docs Mean Builder Must Follow New Reg: NJ Justices**

A New Jersey developer is not protected by a rule requiring a municipality to follow regulations in effect when an application is filed because the builder did not include all of the requisite documents in submitting its proposal, that state's Supreme Court said Wednesday in affirming a lower court ruling. [Read more »](#)

## EMPLOYMENT

### **Restaurant Group Pushes NLRB On Joint Employer Issue**

The National Restaurant Association's legal arm has urged the National Labor Relations Board to adopt the trade group's proposed rule to clarify the joint employer doctrine, saying it supports the NLRB's recent efforts to engage in rulemaking rather than set policy based on precedent-setting decisions. [Read more »](#)

### **DC Voters OK Minimum Wage Hike For Tipped Workers**

Washington, D.C., voters on Tuesday approved a ballot initiative that incrementally raises the minimum wage for tipped workers until it reaches \$15 per hour, eliminating the ability of employers in the district to pay those workers below the minimum wage if tips cover the difference. [Read more »](#)

## COMPETITION

### **Feature**

### **4 Noncompete Developments From 2018's First Half**

In the first half of 2018, judges have continued to rip up broad noncompete agreements, while the Trump administration has kept in place an Obama-era policy aiming to punish businesses that agree not to hire each other's workers. Here, Law360 looks at four recent developments in restrictive covenant law that

American Medical Association Inc.  
Ames & Gough  
Associated Press  
Bank of America Corporation  
Blyth, Inc.  
Broadcom Ltd.  
CVS Caremark Corporation  
Cable News Network Inc.  
Celanese Corporation  
Charter Communications Inc.  
Comcast Corporation  
Delta Air Lines Inc.  
Dow Chemical Co.  
Facebook  
Farm Bureau Financial Services  
Financial Industry Regulatory Authority Inc.  
Frontier Airlines Inc.  
Google Inc.  
Huawei Technologies  
Hulu LLC  
IdeaTek Systems Inc.  
International Council of Shopping Centers Inc.  
JPMorgan Chase & Co.  
Kaspersky Lab Ltd.  
Lambda Legal Defense & Educational Fund  
Mackinac Center for Public Policy  
Manitowoc Company Inc.  
NFL Enterprises LLC  
National Employment Law Project  
National Gypsum Co.  
National Immigration Law Center  
National Restaurant Association  
New Jersey State Bar Association  
Northrop Grumman Corporation  
Oppenheimer Holdings Inc.  
Orbital ATK Inc.

attorneys should have on their radar. Read more »

### **New FTC Weighing Need To Alter Policies For Digital Economy**

The Federal Trade Commission's newly minted chairman, Joseph Simons, said Wednesday that the agency will conduct a series of hearings to help shape its policy approach to hot-button antitrust and consumer protection issues including privacy, big data and the potential for enforcement against large technology platforms. Read more »

## **CYBERSECURITY & PRIVACY**

### **House Passes Bills On Opioid Patient Info Sharing, Treatment**

The U.S. House of Representatives on Wednesday passed more bills aimed at tackling the nation's opioid crisis, including a measure allowing medical professionals to share information about patients with opioid use disorder and another providing more treatment options for addicted Medicaid recipients. Read more »

## **PERSONAL INJURY**

### **NJ County Loses Fee Bid In Fatal Construction Accident Row**

A New Jersey state appellate court ruled Wednesday that Middlesex County couldn't require a construction company and an engineering consultant to cover its legal expenses in a suit brought by the family of a worker who died after an accident at a bridge construction site. Read more »

## **GOVERNMENT CONTRACTS**

### **Senate Fails To Pass \$15B In Cuts To CHIP, Car Tech Funding**

The U.S. Senate voted down President Donald Trump's attempt to pull back \$15 billion in already authorized spending for the Children's

Roche Holding AG  
Sierra Club  
Southwest Airlines Co.  
Spirit Airlines Inc.  
Stolt-Nielsen SA  
Tax Foundation  
The Renco Group  
Time Warner Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Union of Concerned Scientists  
United Continental Holdings Inc.  
United States Telecom Association  
Vizio Inc.  
Washington Post Co.  
Windstream Corporation  
Xcel Energy Inc  
YouTube Inc.  
ZTE Corp.

## **GOVERNMENT AGENCIES**

Agency for Toxic Substances and Disease  
Attorney Registration and Disciplinary Commission  
Bureau of Indian Affairs  
Centers for Medicare & Medicaid Services  
Committee on Foreign Investment in the United States  
Defense Health Agency  
Department of Commerce  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Trade Commission  
Food and Drug Administration  
House of Commons of the United Kingdom

Health Insurance Program, car technology research and other areas Wednesday, as two key Republican senators joined Democrats to torpedo the proposal. [Read more »](#)

### **Jury Told Of Business Shakedowns By NY Senate Leader, Son**

Former New York state Senate Majority Leader Dean Skelos and his son used the once-powerful politician's office to strong-arm businesses for illicit payments to the younger Skelos, prosecutors told a Manhattan federal jury Wednesday during opening arguments in the pair's corruption retrial. [Read more »](#)

### **CMS Eyes Broad Easing Of Stark Law Restrictions**

The Centers for Medicare & Medicaid Services on Wednesday expressed interest in widespread easing of Stark Law restrictions on physician referrals, asserting that relaxed standards will clear the way for coordinated care among different providers. [Read more »](#)

## **AEROSPACE & DEFENSE**

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### **Sen. Grassley Wants Action On Wasteful Spending At DOD**

Sen. Chuck Grassley, R-Iowa, raised concerns Tuesday about \$81.2 million in TRICARE overpayments by the Defense Health Agency and urged the nation's defense chief to focus on ending wasteful spending at the Pentagon. [Read more »](#)

## **INTERNATIONAL TRADE**

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### **Sen. Wyden Presses Ross For Views On ZTE's Cyberthreat**

Commerce Secretary Wilbur Ross evaded questions from Sen. Ron Wyden, D-Ore., on the cybersecurity threats posed by ZTE Corp. on Wednesday as the lawmaker probed for answers about the Trump administration's decision to give the Chinese telecom giant a

Illinois Department of Revenue  
Illinois Supreme Court  
Internal Revenue Service  
Los Angeles County District Attorney's Office  
Missouri Attorney General's Office  
NAFTA  
National Labor Relations Board  
New Jersey Supreme Court  
New York Attorney General's Office  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
Special Inspector General for Afghanistan Reconstruction  
TRICARE  
U.S. Army  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United Nations  
West Virginia Department of Environmental Protection  
Wisconsin Supreme Court

reprieve for its sanctions violations. [Read more »](#)

### **Sens. Tee Off On Ross For Trump's Aggressive Trade Moves**

Senators on both sides of the aisle on Wednesday laid waste to the Trump administration's flurry of trade enforcement moves over the last six months, demanding answers from U.S. Department of Commerce Secretary Wilbur Ross about the direction of the White House's overall trade strategy. [Read more »](#)

### **EU To Hit US With Retaliatory Tariffs On Friday**

The European Union on Friday plans to implement retaliatory tariffs on €2.8 billion (\$3.2 billion) worth of U.S. products in retaliation for the Trump administration recently slapping double-digit tariffs on aluminum and steel products entering the United States from the continent's economic bloc, it announced Wednesday. [Read more »](#)

## **TAX**

### **Analysis**

### **Failed Mass. Ballot Shows Fading Support For Millionaires' Tax**

A business coalition's successful challenge to a Massachusetts ballot initiative to establish a special tax on income above \$1 million highlights waning political support for such measures in the years since the Great Recession, when states attempted to use them to plug large budget holes. [Read more »](#)

### **Panel Grills DOJ Official On Seizures In Structuring Cases**

Members of the House Ways and Means Oversight Subcommittee questioned a U.S. Justice Department official Wednesday over asset seizures in structuring cases referred by the Internal Revenue Service and asked why

World Trade Organization

the department had denied requests to have funds returned. [Read more »](#)

## IMMIGRATION

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### **House Set For Major Immigration Votes Thursday**

The U.S. House of Representatives is set to vote on a series of immigration bills Thursday, although the Republican-led legislation has drawn criticism from within GOP ranks and from Democrats. [Read more »](#)

### **Airlines Slam DHS Migrant Child Separation Policy**

Several U.S. airlines condemned the Trump administration's policy of separating migrant children from their parents at the border, saying Wednesday that they would not allow the government to use their flights to transport those children away from their families. [Read more »](#)

## NATIVE AMERICAN

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### **Tribe Can't Get Judge To Declare Federal Recognition**

The Chinook Indian Nation on Wednesday lost its bid for a Washington federal court to declare it a federally recognized tribe, with a judge saying the court can't go around the federal acknowledgment procedure without "a clear delegation of authority from Congress," but otherwise keeping the tribe's case against the government intact. [Read more »](#)

## TELECOMMUNICATIONS

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### **Calif. State Committee Tones Down Net Neutrality Bill**

In one swift move, a California State Assembly committee "gutted" a wide-ranging net neutrality bill Wednesday when it amended some of the legislation's strongest language, according to the bill's supporters. [Read more »](#)

## **FCC Nominee Starks Says He'll Focus On Telemedicine**

Geoffrey Starks, the next Democrat nominated to fill a Federal Communications Commission vacancy, emerged as an ardent supporter of internet subsidy programs and telemedicine initiatives Wednesday, testifying before the Senate Committee on Commerce, Science and Transportation that he takes the FCC's role in expanding broadband service seriously [Read more »](#)

## **Feds Stuck In The Past On Telecom, FCC's O'Rielly Says**

Federal Communications Commission member Michael O'Rielly blasted U.S. antitrust regulators' "outdated and misguided" view of telecommunications companies, saying Wednesday the successful repeal of net neutrality rules and the now-complete AT&T-Time Warner merger show the government is out of step with market realities. [Read more »](#)

## **Network Unbundling Will Hurt Smaller ISPs, Lawmakers Told**

Upstart broadband providers on Tuesday urged lawmakers to keep unbundling rules intact to ensure they have access to the networks of big legacy telecom companies, warning that without the measures, competition will suffer, prices will go up and innovation will drop. [Read more »](#)

## **EXPERT ANALYSIS**

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### **Kaepernick Case Raises Arbitrator Subpoena Power Issues**

It has been widely reported that lawyers representing Colin Kaepernick in collective bargaining arbitration proceedings with the NFL may ask the arbitrator to compel President Donald Trump to appear for deposition. The case presents interesting issues about the power of an arbitrator to

compel testimony of a nonparty, say attorneys with White and Williams LLP. [Read more »](#)

Opinion

### **We Must Stop Separation Of Kids From Parents At US Border**

Each day, Americans learn more details about the horrors of the new federal policy of separating and detaining migrant children away from their parents. As mothers and attorneys, we have a particular revulsion to this policy and we will not let this unconscionable practice stand on our watch, say Tovah Kopan and Erin Albanese of Lawyer Moms of America. [Read more »](#)

### **Policy Is Changing For Technology Transfers**

The Trump administration and Congress are tightening investment restrictions and export controls to address technology transfer concerns. These measures initially focus on China, but will have broader effects on investments in the United States and transfers of emerging technologies, say attorneys with Baker McKenzie. [Read more »](#)

Series

### **FLSA Turns 80: Modern-Day Wage Theft**

The Fair Labor Standards Act fails to recognize that many of today's employees are in the best position to record their own working time. Of course, this raises questions about how an employer can commit "wage theft" when an employee is actively choosing not to follow instructions and not to record all hours worked, say Lee Schreter and Pierre-Joseph Noebes of Littler Mendelson PC. [Read more »](#)

### **Removing 'Control' From FINRA Quantitative Unsuitability**

The Financial Industry Regulatory Authority recently proposed to remove a broker's "control" of a securities account as an element that must be proven to demonstrate a "quantitative suitability" violation under Rule

2111. This proposal would return the suitability rules to their roots, says Thomas Potter of Burr & Forman LLP. [Read more »](#)

### **EU Begins Catching Up To US On Trade Secret Law**

The introduction of EU-wide minimum standards for the protection of trade secrets should be welcomed by U.S. businesses for two reasons, say Robert Williams and Will Smith of Bird & Bird LLP. [Read more »](#)

Opinion

### **US Trading Partners Defy The Rules They Claim To Support**

In March, President Donald Trump imposed tariffs on steel and aluminum imports pursuant to Section 232 of the Trade Expansion Act of 1962. Subsequently, the European Union and certain other trading partners asserted that they could immediately retaliate — contradicting the World Trade Organization rules they claim to champion, say Alan Price and Robert DeFrancesco of Wiley Rein LLP. [Read more »](#)

## **LEGAL INDUSTRY**

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### **This Firm Is The Most Prestigious In The US, Associates Say**

One firm took the title of most prestigious law firm in the U.S. in the eyes of associates for the third year running, according to the results of a survey released Wednesday. [Read more »](#)

### **More Law Firms Follow Cravath's Lead On Associate Pay**

Munger Tolles & Olson LLP, Baker McKenzie, Schulte Roth & Zabel LLP and Brown Rudnick LLP have raised associate pay in the U.S. to match the new scale set by Cravath Swaine & Moore LLP last week, offering first-year associates a salary of \$190,000, according to internal memos that have become public. [Read more »](#)



### **New Slaughter, Freshfields Data Show 60% Gender Pay Gap**

U.K. law firms Slaughter and May and Freshfields Bruckhaus Deringer LLP have released revised data to a parliamentary committee revealing that on average female partners and employees make 60 percent less than their male counterparts, a significantly larger pay gap than statistics they previously provided without including their partners. [Read more »](#)

### **Ogletree's Bid To Transfer Sex Bias Row Stalled As Suit Grows**

A San Francisco federal judge held off on deciding whether to transfer a \$300 million gender discrimination suit against Ogletree Deakins Nash Smoak & Stewart PC to Orange County, California, saying Wednesday he'd let the proposed class amend its complaint to add equity shareholders, some of whom live in Northern California. [Read more »](#)

### **Rennert, Ex-Attys Move To Settle Row Over \$214M Verdict**

The Renco Group has reached a preliminary agreement to settle a case against its former attorneys, who it claims are to blame for an "inconsistent" jury verdict that cost the company and its billionaire owner Ira Rennert \$214 million in damages. [Read more »](#)

### **Ex-Dewey CFO Disbarred By Fraud Scheme Felony Conviction**

Former Dewey & LeBoeuf LLP chief financial officer Joel Sanders, convicted in Manhattan federal court last year on fraud and conspiracy charges, was disbarred Wednesday in New York. [Read more »](#)

### **Ill. Board Wants Convicted Judge Removed From Bench**

The Illinois board monitoring the conduct of the state's judges has filed a formal complaint seeking the removal of a Cook County, Illinois, judge convicted in a \$1.4 million mortgage

fraud scheme, saying her failure to resign has harmed the state's judicial system. Read more  
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Analysis

### **Costs For Financial Crisis Suits Against Attys Still Climbing**

A decade and counting after the tanking global economy triggered a deluge of lawyer-targeted litigation, the costs for financial crisis-era malpractice suits continue to climb, according to insurer data released this week. Read more  
»

Pro Bono Spotlight

### **Robins Kaplan Helps Transgender Inmate Receive Treatment**

A Missouri federal judge recently struck down as unconstitutional the state prison system's "freeze-frame" policy of denying hormone treatment and other health care to certain transgender inmates, a first-of-its-kind ruling that Robins Kaplan LLP attorneys helped obtain despite prison officials' insistence that no such formal policy was in place. Read more  
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**From:** Ohio Arts Council

**Sent:** Thursday, June 21, 2018 10:04 AM

**To:** Rep93

**Subject:** June | Free Admission to Blue Star Museums, NEA Grant Recipients & more

Keep up to date on Ohio Arts Council news, grant deadlines, and more.

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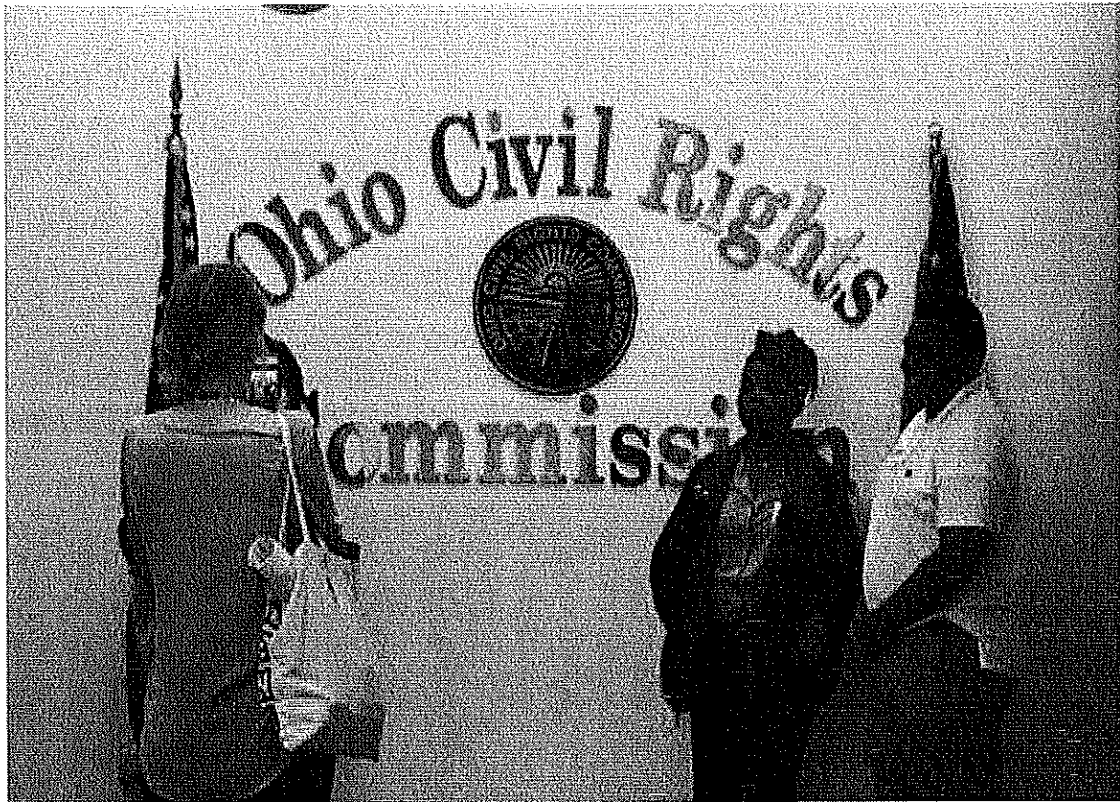
**GET READY FOR THE OHIO STATE FAIR!**



In this month's Message from the Executive Director, Donna S. Collins reflects on memories from the Ohio State Fair and celebrates the Ohio Arts Council's 20th year of involvement in the annual event.

**READ DONNA'S MESSAGE**

**STUDENTS EXPLORE SELF-EXPRESSION IN OHIO  
CIVIL RIGHTS COMMISSION YOUTH ART EXHIBITION**



Project Snapshot and Envision Project participants learned how to process film and take photos in preparation to display their photography at the Ohio Civil Rights Commission Youth Art Exhibition.

[READ MORE](#)



## **51 OHIO MUSEUMS OFFER FREE ADMISSION TO MILITARY THIS SUMMER**

More than 2,000 museums nationwide are set to offer free admission to the nation's active duty military personnel and their families from Memorial Day weekend through Labor Day.

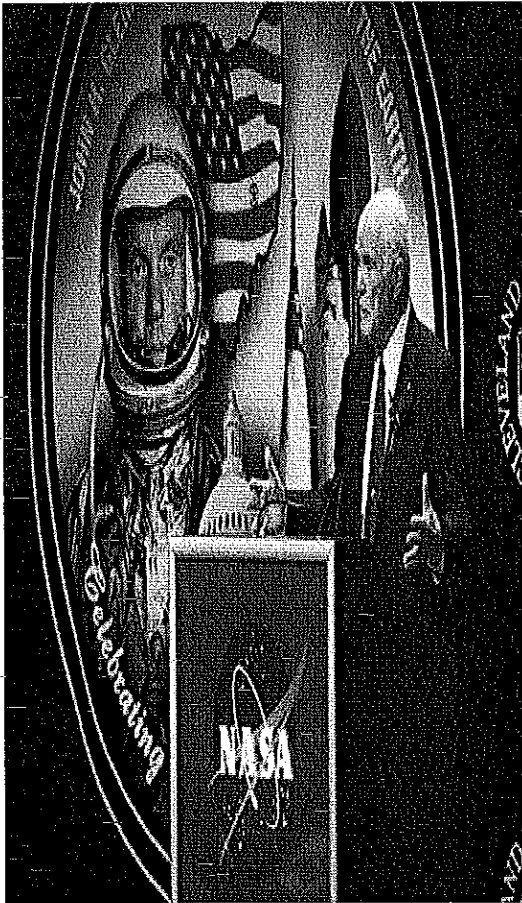
**[READ MORE](#)**



## **TWO OHIO COMPANIES RECEIVE GRANTS TO PRODUCE SHAKESPEARE PLAYS AND PROGRAMMING**

Cincinnati Shakespeare Company and Cleveland's Great Lakes Theater were awarded Shakespeare in American Communities grants from Arts Midwest and the National Endowment for the Arts.

[READ MORE](#)

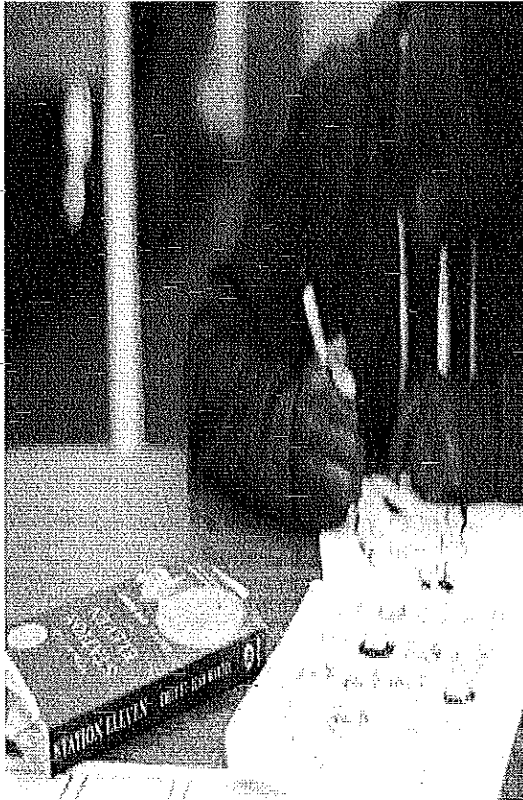


## **MUSKINGUM BAND HONORS JOHN GLENN WITH SPECIALLY COMMISSIONED COMPOSITION**

"I want them to listen in a way that just lets them experience that feeling of loyalty and that connection that John and Annie had. I just hope that they feel that sense of pride in this great Ohioan, this great Marine, and this great American."

[READ MORE](#)





## OHIO ARTS ORGANIZATIONS RECEIVE NATIONAL LITERATURE GRANTS

The Center for Arts-Inspired Learning and the Massillon Museum have each been awarded a \$15,000 NEA Big Read grant to develop specific programming related to community reading efforts.

[READ MORE](#)

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**ON VIEW**

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**MAY 3 - JULY 7, 2018**

**May 3 - July 7, 2018**

*Women to Watch Ohio – 2018* showcases the work of 10 Ohio women working with metal through sculpture, installation, jewelry, and two-dimensional works. The exhibition is developed in collaboration with the Ohio Advisory Group of the National Museum of Women in the Arts and is curated by Ann Bremner and Matt Distel. This is the second *Women to Watch Ohio* exhibition initiated by the Ohio Advisory Group and the first to encompass mid-Ohio as well as the northeast and southwest regions of the state.

[READ MORE](#)

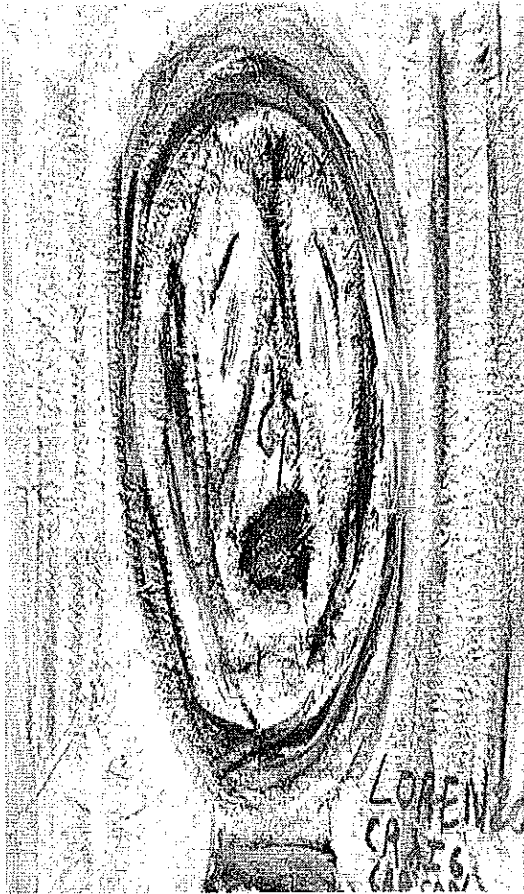


## **MANIPULATING METAL IN WOMEN TO WATCH OHIO - 2018**

*Women to Watch Ohio - 2018* asks viewers to consider the varied materiality, technical processes, and scale of metalwork. The exhibition presents viewers with an opportunity to pause, look, and learn from an impressive group of artists and to engage with contemporary issues filtered through the lens of an often-gendered material.

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**COMING SOON**

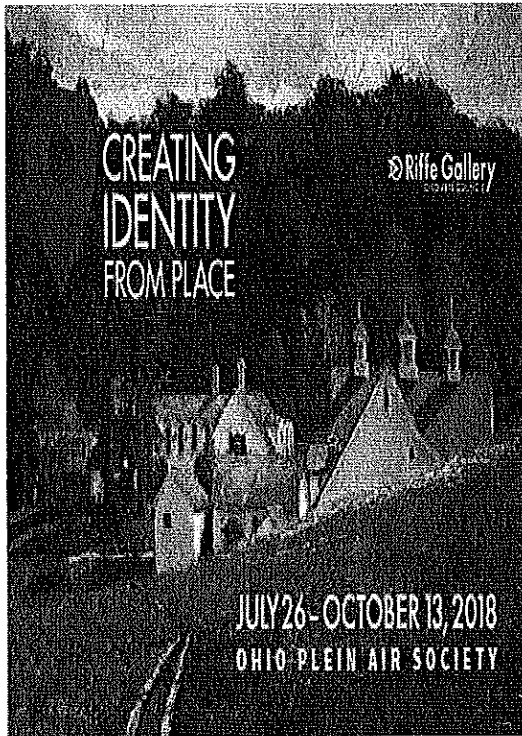


## **LOBBY EXHIBITION: ACCESSIBLE EXPRESSIONS OHIO, VSA OHIO**

**June 13 - July 11, 2018**

Started in 1996, *Accessible Expressions Ohio* is an adjudicated, statewide exhibition and tour of visual art for artists of all ages with disabilities. This professional development opportunity helps raise awareness about art and disability by presenting the art in inclusive settings.

**[READ MORE](#)**



## CREATING IDENTITY FROM PLACE

July 26 - October 13, 2018

*Creating Identity from Place: Ohio Plein Air Society* is an exhibition of 73 paintings and drawings created from direct observation in nature. Curated by Artistic Director Charlotte Gordon of the Southern Ohio Museum, this exhibition of Midwestern landscapes is a reflection on the everyday beauty of Ohio.

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## FOR ARTISTS | Grants & Opportunities

### SEPTEMBER 1: Individual Excellence Awards Grant Applications Due

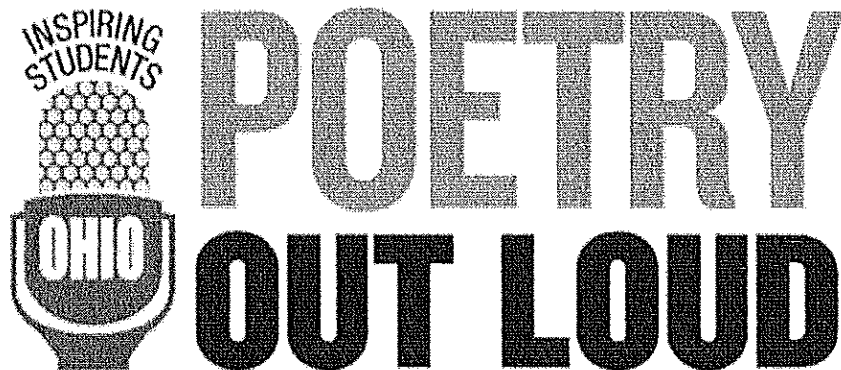
The **Individual Excellence Awards** program recognizes outstanding accomplishments by artists in a variety of disciplines. Competitive applications focused on the merit of past artistic work, combined with an open panel review conducted by nationally recognized professionals, ensure that the most exceptional individuals receive funding.

This year, applications are accepted in **crafts; design arts/illustration; interdisciplinary, collaborative & performance art; media arts; photography; visual arts 2D; and visual arts 3D.**

[READ MORE](#)

**CONTACT:** [Kathy Signorino](#), Artist Programs/ Percent for Art Coordinator

**FOR STUDENTS AND EDUCATORS | *Poetry Out Loud***



***Poetry Out Loud* Registration is Now Open**

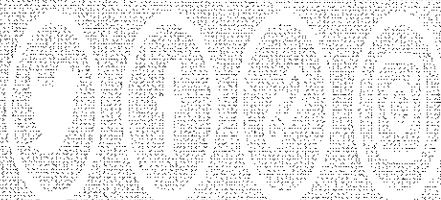
Ohio *Poetry Out Loud* registration is open for the 2018-19 competition! *Poetry Out Loud* encourages students to learn about great poetry through memorization and recitation.

[REGISTER TODAY](#)

**CONTACT:** Chiquita Mullins Lee, Arts Learning Coordinator

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*Image credits: 1) Visitors at the 2017 Ohio State Fair Fine Arts Exhibition, Photo by Amanda Etchison; 2) Students whose work is featured in the 2018 Ohio Civil Rights Commission Youth Art Exhibition pose for a photo, Photo by Amanda Etchison; 3) Blue Star Museums graphic, Image courtesy of the National Endowment for the Arts; 4) Great Lakes Theater's performance of Macbeth, Photo courtesy of Great Lakes Theater; 5) Ohio Senator, astronaut, and veteran John Glenn, Photo Credit: NASA; 6) A student participates in a graphic novel creation workshop hosted by the Center for Arts-Inspired Learning, Photo courtesy of the Center for Arts-Inspired Learning; 7) Women to Watch Ohio - 2018 post card, image credit: Carol Boram-Hays, WHOOSH (detail), 2017, steel, duct tape, 114" x 80" x 48"; 8) The artists of Women to Watch Ohio - 2018, Photo courtesy of the Riffe Gallery; 9) Lorenzo Carson, He's God in Columbus, Acrylic on canvas; 10) Robin Roberts, An Evening at Malabar Farm, 2016, Oil on canvas, 15 1/2" x 19 1/2"; 11) Ohio Poetry Out Loud logo*



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# CapitoltoCapitol

NATIONAL CONFERENCE *of* STATE LEGISLATURES





Oct. 2, 2017

## **Congress Shifts to Tax Reform**

On Sept. 27, Trump and the "Big Six"— which includes Senate Majority Leader Mitch McConnell (R-Ky.), Speaker Paul Ryan (R-Wis.), Senate Finance Chairman Orrin Hatch (R-Utah), House Ways and Means Chairman Kevin Brady (R-Texas), Treasury Secretary Steven Mnuchin and National Economic Council Director Gary Cohn — released their "unified framework" for overhauling the U.S. tax code. The nine-page document will serve as a starting point for tax writers in both the House and the Senate to hash out the rest of the details.

But before it fleshes out the details of tax reform, Congress will need to pass a budget resolution that includes tax reform instructions so that it can then use budget reconciliation for tax reform. Budget reconciliation is a legislative maneuver that allows the majority in the Senate to bypass the filibuster process, allowing them to pass legislation with 51 votes, instead of the normal 60. The House is expected to vote on its FY 2018 budget on Thursday. In the Senate, the full Budget Committee is expected to mark up its budget plan, which is quite different than the House bill, later this week.

Concerning tax reform, the Senate budget would allow tax writers to add as much as \$1.5 trillion to the deficit over 10 years, but the House budget would not allow a tax plan to add to the deficit. This is just one of several differences that the two chambers will have to reconcile before moving forward on a tax package. Budget aside, the White House is optimistic for a tax plan to move quickly through Congress. "We would hope to be in the Senate in November," Cohn told reporters last week. "And we would hope to have a bill done by this year."

Meanwhile, the administration and GOP leaders will need to package this plan and sell it to the public as tax relief for the middle class and not a windfall for the wealthiest Americans if they want the reform to make it across the finish line. They will also need to secure the necessary votes in the Senate, which is anything but assured given that the slim Republican majority can ill-afford to lose votes of support.

In sum, enacting a tax plan this year might be overly optimistic given the tight congressional calendar and lack of agreement on key policy details. While Republicans are desperate for a win and a legislative victory, tax reform is by no means an easy feat and the process may continue well into 2018.

NCSL Contacts: Max Behlke; Jake Lestock

## **NCSL Urges Preservation of the SALT Deduction**

On Sept. 27, NCSL released the following statement regarding the tax reform framework:

*As a central tenet of tax reform is to provide tax relief for the middle class, NCSL is dismayed that the released framework will eliminate a deduction that is vital to middle class taxpayers, the State and Local Tax (SALT) deduction. The SALT deduction has existed in the federal tax code since its inception, which coincidentally was also when the federal tax code was at its simplest, because federal tax writers were cognizant to not tax an individual's income twice.*

*Eliminating this deduction will lead to higher tax burdens for tens of millions of middle class taxpayers of every political affiliation, an outcome contrary to the stated goal of providing meaningful relief to taxpayers. The elimination of the SALT deduction also impedes the ability of states to invest in infrastructure, fund education, and provide the vital public services that Americans expect from their state and local governments.*

*Ensuring that the incomes of American workers are not taxed twice hardly counts as a special interest tax break or loophole that needs to be closed. NCSL strongly supports preservation of the SALT deduction and opposes any attempt to harm middle class taxpayers and their communities.*

*Protect state taxpayers. Protect local decision making. Protect SALT.*

NCSL Contacts: Max Behlke; Jake Lestock

**DYK?** The Coinage Act of 1792 established the U.S. Mint, created the dollar as the nation's standard unit of money, and regulated the country's coinage. Specifically, the law specified that \$10, \$5 and \$2.50 coins (known as eagles, half-eagles and quarter-eagles) were to be made of their face value in gold, while the dollar, half-dollar, quarter-dollar, dime and half-dime coins were to be made of their value in silver. Criminals found that they could make a profit by filing shavings from the sides of gold and silver coins, and selling it. It did not take long for the U.S. Mint to begin adding ridges to the coins' edges, a process called "reeding," to make it impossible to shave them down without the result being obvious. As a side benefit, the reeded edges make counterfeiting more difficult.

## SCOTUS Gerrymandering Case Could Reshape American Politics

"There is only one prediction that is entirely safe about the upcoming term, and that is it will be momentous."

- Justice Ruth Bader Ginsburg, Sept. 20, 2017

Today, the Supreme Court of the United States (SCOTUS) returns for what could be one of the most consequential terms of the court in recent memory. In addition to cases on immigration, religious freedom, and privacy already on the docket, it will hear oral arguments in a case about partisan gerrymandering in Wisconsin, where a federal court in November 2016 struck down a legislative map for being too partisan. In *Gill v. Whitford*, a panel of three federal judges ruled that the Wisconsin State Assembly map adopted in 2011 violated the First and 14th Amendments to the Constitution. If the court ultimately rules against the plaintiffs, it could mean that no amount of partisan bias could make electoral districts unconstitutional. But on the flipside, if the court sides with the plaintiffs, it could ultimately lead to drastic changes of electoral maps and how state legislatures draw them.

### DYK? On this day in...

- **1996:** President Bill Clinton signed the Electronic Freedom of Information Act Amendments (E-FOIA), which required executive branch agencies to make certain types of records, created on or after Nov. 1, 1996, to be made available electronically. The amendments also required agencies to provide electronic reading rooms for citizens to use and extended the response time to FOIA requests from 10 days to 20 business days.
- **1980:** Pennsylvania Congressman Michael Myers became the first member of either chamber of Congress to be expelled since the Civil War, for his involvement in the Abscam scandal. As part of the public corruption investigation, Myers was videotaped accepting a \$50,000 bribe from undercover FBI Agents.
- **1967:** Thurgood Marshall was sworn in as the first African-American justice of the Supreme Court of the United States.

## Senate Releases Bipartisan Autonomous Vehicle Legislation That Pre-empts States

On Sep. 28, Senate Commerce Committee Chairman John Thune (R-S.D.), and Senators Gary Peters (D-Mich.), Roy Blunt (R-Mo.), and Debbie Stabenow (D-Mich.) unveiled legislation regarding autonomous vehicles—the American Vision for Safer Transportation Through Advancement of Revolutionary Technologies (AV START)

Act. The AV START Act is similar to the House passed SELF DRIVE but it also contains several significant differences as well as areas of concerns for states, notably in the areas of pre-emption and safety evaluation reports. The Commerce Committee will consider the legislation at a markup schedule for Oct. 4.

### **Pre-emption**

The Senate committee bill currently includes a pre-emption section identical to that included in the bill passed by the House. Specifically, the language would pre-empt states from regulating the performance of automated driving systems (ADS) as well as any "unreasonable restrictions" concerning registration, licensing, driving education and training, insurance, law enforcement, crash investigations, safety and emissions inspections, congestion management of vehicles on the street within a state or political subdivision of a state, or traffic on the design, construction, or performance of highly automated vehicles or ADS. **NCSL Urges State Legislators to Contact their Congressional Delegations to Voice their Opposition to the Pre-Emption.**

Additionally, the bill would prohibit a state from issuing licenses for a dedicated highly automated vehicle (DHAV), which the bill defines as a level 4 or 5 automated vehicle, in a way that discriminates against those with disabilities.

A full NCSL analysis of the AV START legislation can be read [here](#).

*NCSL Contacts:* Ben Husch; Kristen Hildreth

### **A Deeper Dive on Transportation, Energy, Environment and Agriculture Policy**

For those looking for a deep dive on federal Transportation, Energy, Environment and Agriculture topics, please check out the September editions of our Natural Resources and Infrastructure Committee's three monthly newsletters:

- Energy & Agriculture Update - latest federal developments influencing agriculture and energy policy
- Environment Update - latest federal developments on environment policy
- Transportation Update - latest federal developments on transportation policy

*NCSL Contacts:* Ben Husch; Kristen Hildreth

**DYK?** Russia did not consider beer, or any beverage that contained less than 10 percent alcohol, to be alcoholic until 2011. They previously classified it as a soft drink. The new restrictions were signed off by then

President Dmitry Medvedev as part of an attempt to counter alcohol abuse, which he earlier called a "national calamity."

## **Supreme Court Will Hear Far-Reaching Union Case**

The Supreme Court of the United States agreed on Thursday to hear *Janus v. AFSCME*, a case challenging the legality of union fees that could have serious ramifications for public sector unions. The case revolves around Illinois state employee Mark Janus, who contends the requirement that he pay union fees to the American Federation of State, County, and Municipal Employees (AFSCME) violates his free speech rights. The justices considered this issue once before, when the Court took up *Friedrichs v. California Teachers Association* last year. That case was brought by a California teacher, Rebecca Friedrichs, and resulted in a 4-4 deadlock following the death of Justice Antonin Scalia. Should the justices vote the same way, Neil Gorsuch will be in a position to offer the final tie-breaking vote.

NCSL Contacts: Joan Wodiska, Lucia Bragg

## **Trump Signs Hurricane Relief Legislation for Schools, Issues Hurricane Relief Guidance**

The president signed S. 1866 into law on Friday after the bill passed through Congress last week. The bill offers various forms of support for schools and colleges impacted by the recent hurricanes. Specifically, the law:

- Allows the U.S. Department of Education to waive a requirement that higher education institutions contribute matching funds as part of the Federal Work Study and Supplemental Educational Opportunity Grant programs.
- Redistributes the unused funds in those programs to colleges affected by the hurricanes.
- Provides access for private schools to funds available under the Project School Emergency Response to Violence program.

The law comes on the heels of new non-regulatory hurricane relief guidance, issued by the department on Sept. 22. The guidance identifies areas of federal law that are subject to flexibility and waivers for grantees and program participants impacted by natural disasters. The guidance focuses on support and flexibility options available to schools, state educational agencies, state lead agencies, local educational agencies, local early intervention service programs and providers, State Vocational Rehabilitation agencies, the Department of the Interior's Bureau of Indian Education (BIE)-funded schools, Tribes, and postsecondary institutions with a

focus on the 2017 hurricanes. The department will hold a webinar discussing the details of the guidance on Thursday, Oct. 5 at 2 p.m. ET. Interested participants may register [here](#).

NCSL Contacts: Joan Wodiska, Lucia Bragg

## **HHS Secretary Pays Price for Travel**

On Friday, Health and Human Services Secretary Tom Price resigned for his use of private charter and military jets to travel around the country at taxpayer expense. Don Wright, a longtime U. S. Health and Human Services (HHS) career employee, doctor and public health expert was named acting HHS secretary Friday following Price's resignation. Soon after Price stepped down, Washington began speculating about possible candidates for his replacement, including:

- Scott Gottlieb, the commissioner of the Food and Drug Administration
- Seema Verma, the administrator of the Centers for Medicare and Medicaid Services
- David Shulkin, the secretary of veterans affairs
- Former Louisiana Governor Bobby Jindal
- Florida Governor Rick Scott

NCSL Contact: Haley Nicholson

## **Also of Note...**

Federal Funding for the Children's Health Insurance Program (CHIP), which covers 9 million children, expired on Sept. 30. If Congress does not act, the Kaiser Family Foundation expects 10 states to run out of money for the program by the end of the year, and 21 states will be out of money by March 2018.

NCSL Contact: Haley Nicholson

The National Flood Insurance Program, a federal program that aims to provide affordable flood insurance to property owners, has depleted its borrowing authority after a series of devastating hurricanes over the past several weeks. The Federal Emergency Management Agency (FEMA), which runs the program, notified Congress on Sept. 20 that it borrowed \$5.8 billion from the Treasury to fund losses this year, including those incurred by Hurricanes Harvey and Irma, and "anticipated programmatic activities." The balance of FEMA's remaining borrowing authority is now zero, according to the agency.

NCSL Contact: Ethan Wilson

Read the Sept. 25, 2017, Capitol-to-Capitol.

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions](#) adopted during NCSL's Legislative Summit.*



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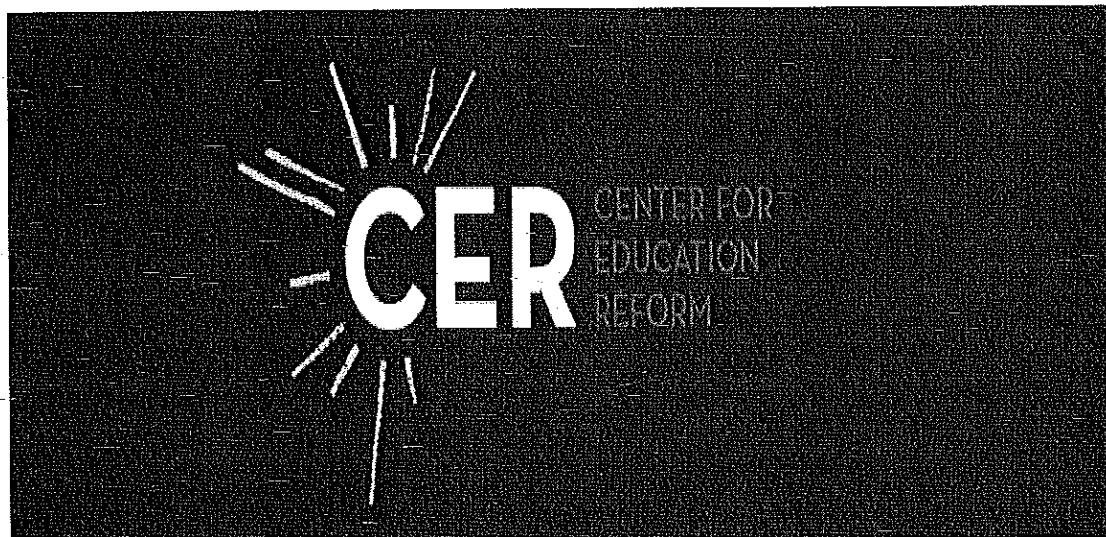
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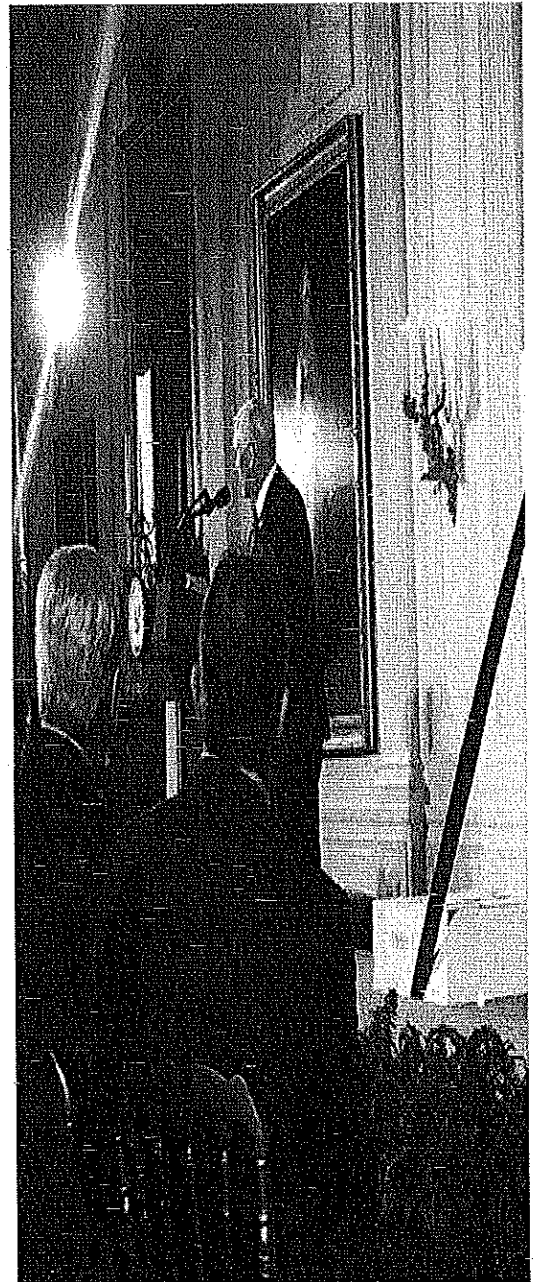
**BLACK COLLEGES & CHARTER SCHOOLS.** In opeds appearing around the country, Johnny C. Taylor, Jr., CEO of the Thurgood Marshall College Fund says HBCUs are intricately connected to the movement for better opportunities for students and opposition from groups like the NAACP and the AFT aren't helpful whatsoever. "Better parental choices are, frankly, a matter of life or death for many of our country's Historically Black Colleges & Universities. And the only way to impact that is to ensure that high-quality secondary school choices abound and that parents are aware of the options that exist to help them take their families out of traditional district schools that have long failed

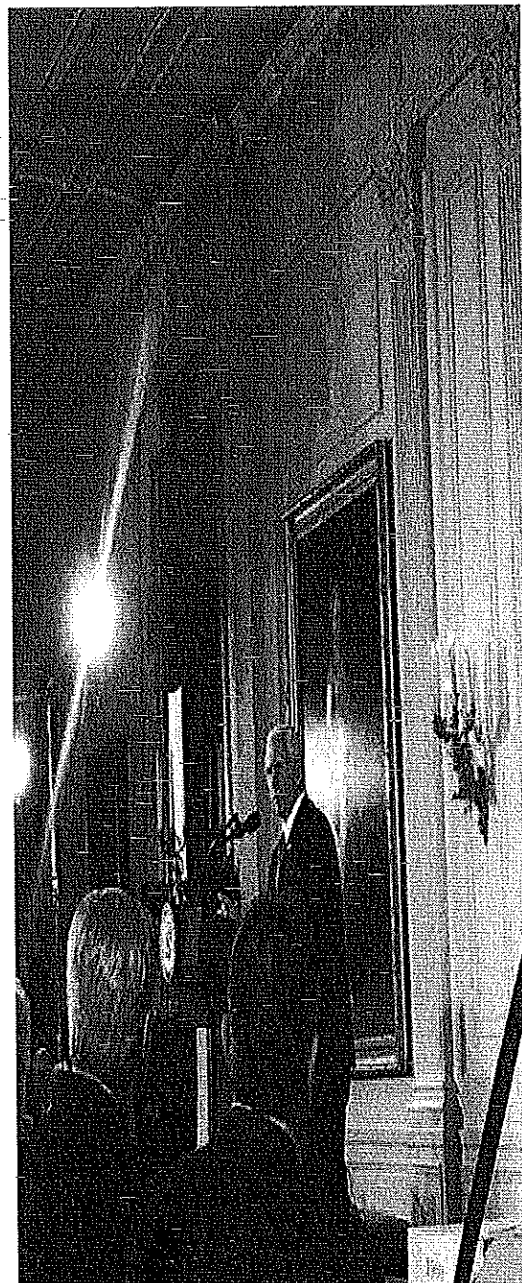


their precious youth." More at the CER [Voices of Color, Voices for Opportunity](#) page and [here](#) .

**UNCHAINED MELODY.** Yesterday was "Cut the Red Tape" day in Washington. We participated at the White House kick-off hosted by VP Mike Pence. No matter where you stand politically, you've gotta give this Administration credit for its honest efforts to trim back the regulatory briar patch that entangles us all. The Council of Economic Advisors has issued a nifty report on the subject, "The Growth Potential of Deregulation". We voted "Yes" on ending bureaucracy and made our feelings on the subject known last January in our own nifty little report, ["The First Hundred Days: The path to going bold on education innovation & opportunity"](#). Among the recommendations - a commission to explore opportunities to send funds to states to use on innovative, flexible learning arrangements. We recommended the ED Feds also "review all federal regulations and the thousands of non-statutory guidelines that are essentially bureaucratic dictates accumulated over time, governing the distribution of state and local funds such that states might feel free to do as the law intended, but that federal policy was created to obscure." They have indeed undertaken that process. A report that promises to identify bureaucratic offenders with a recipe for change is expected by year's end.

**A REAL STEM-WINDER.** In another White House-driven initiative, last week the President sent an official memorandum to the Secretary of Education; subject: "Increasing Access to High-Quality Science, Technology, Engineering, and Mathematics (STEM) Education." The memo directs the Secretary to make STEM education "...including, in particular, computer science," a priority, and to take it into account when awarding grant funds. The initiative has a goal of devoting at least \$200 million in grant funds to the effort per year beginning in FY '18, which began October 1. Exactly when these funds kick-in and how to go about getting them is not yet known, and we'll let you know more as soon as we can find someone with some answers. In the meantime, all innovators, charters and innovative districts within the sound of our voice, should be working up grant proposals NOW!





**DON'T MISS OUT. EDTECH NY IS ON THE HORIZON.** New York Ed Tech Week, *The Global Education Innovation Festival*, is coming up December 18-20, and you may want to make plans to attend while early-bird tickets are still available. Join great people, important topics and informative speakers (including CER's own Jeanne Allen). It is really a must-attend year-end event.

Produced by StartED, Ed Tech Week facilitates some of the most impactful and memorable ed-tech experiences of the year, bringing together more than 200 companies, 200 investors, and 1,500 attendees which includes technology innovators, early-stage investors, EdTech entrepreneurs, media representatives, policymakers, corporations, educators, and students.

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Washington, DC 20036

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**From:** Nikki Comerford  
**Sent:** Wednesday, October 4, 2017 7:18 AM  
**To:** Rep93  
**Subject:** WATCH LIVE TODAY AT 12:30 (CT) A talk on tax reform



From the desk of

**Nikki Comerford**

Events Manager  
[ncomerford@heartland.org](mailto:ncomerford@heartland.org)  
312/377-4000

---

Our friends at Americans for Prosperity are hosting an event at The Heartland Institute on Wednesday, October 4. I hope you can watch it live!

--Nikki

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*But there is hope for tax relief this year!*

Congress is making comprehensive tax reform a major legislative priority. I'd like to personally invite you to join AFP Illinois on Wednesday, October 4, for a lunchtime tax reform panel discussion featuring two former members of Congress who have excellent credentials: Joe Walsh (R-IL), who has a lifetime AFP score of 100%, and Tim Huelskamp (R-KS), who has a lifetime AFP score of 98%.

**WATCH LIVE!**

This is an exciting opportunity to learn more about AFP's positive vision to

unrig the American economy and Congress's once-in-a-generation opportunity to pass pro-growth tax reform.

**WHAT:** *AFP-Illinois presents:* A tax reform panel discussion with former congressman and Heartland Institute President Tim Huelskamp and former congressman and current talk show host Joe Walsh.

**WHERE:** The Heartland Institute, 3939 North Wilke Road, Arlington Heights, IL 60004.

**WHEN:** Wednesday, October 4, 12:30 p.m. to 2:00 p.m.

**WATCH LIVE**

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3939 North Wilke  
Arlington Heights, IL 60004  
312-377-4000

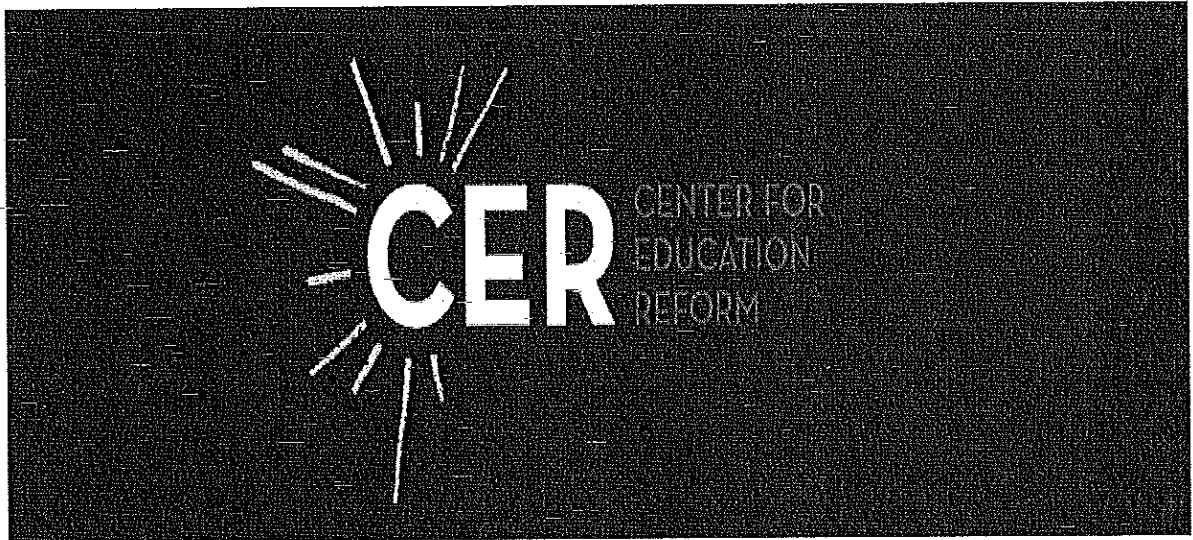
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October 4, 2017

## **Memo to Reporters**

From: Jeanne Allen, founder & CEO, the Center for Education Reform

### **Re: U.S. Supreme Court case holds promise for teacher freedoms**

Leaders of organizations and schools across the education reform arena are enthusiastic that on Thursday, September 28, the Supreme Court of the United States (SCOTUS) agreed to hear arguments in *Janus v. AFSCME*. The case was brought forth by Mark Janus, an Illinois Department of Healthcare and Family Services public employee who believes that forced unionism and the mandatory paying of fees violates his First Amendment rights. A favorable outcome in *Janus* could pave the way for a loosening on the stranglehold of other public sector employees compelled to pay mandatory union fees. Public school teachers, in particular, stand to benefit from the freedom that would allow them to make their own decisions as to whether or not they pay union dues and fees.

## TOP 5 TAKEAWAYS IF SCOTUS RULES IN FAVOR OF *JANUS*:

- Free millions of workers – public school teachers included ? 3 from compelled association—a clear violation of the First Amendment
- Millions of workers will no longer be compelled to pay union fees when opting out of union representation
- In addition to more take-home pay, teachers will have more freedom to innovate when opting out of mandated association with teachers' unions
- A pro-Janus ruling will have no impact on the ability for unions to organize and function
- The union-employee relationship should improve as unions will demonstrate their value to existing and future members

The case has been winding its way through Federal courts since early 2015 and was stayed pending an outcome in *Friedrichs v. California Teachers Association*, a case that was deadlocked 4-4 after the tragic passing of Justice Antonin Scalia. While the *Janus* case was initially dismissed by U.S. District Court after that *Friedrichs* ruling, the employees, backed by the National Right to Work Foundation, appealed to the 7th U.S. Circuit Court of Appeals in October 2016 which, as expected, upheld the lower court's decision – paving the way for an appeal to the U.S. Supreme Court. On June 6, 2017, a petition for Writ of Certiorari was filed and later accepted by SCOTUS. Now the 40-year old ruling in *Abood v. Detroit Board of Education* which created the current system allowing mandatory fees paid to public unions could very well be overturned.

It's important to note that the case started with an executive order issued by Illinois Governor Bruce Rauner, who sought to abolish mandatory collective bargaining pending review of its constitutionality. Since 2012, six states have passed laws strengthening workers' rights and freedom from having to pay

mandatory union fees. What is most notable is at least three of these states are “blue-to-purple” states with historic ties to organized labor, including Michigan, Wisconsin and West Virginia. Following these laws, teachers’ union membership dropped 20% in Michigan and 58% in Wisconsin. More state policymakers throughout the country are focused on the upcoming *Janus* case review. With teachers’ union-driven pension rules and union-backed laws that protect uniform pay scales, eschew performance pay and mandate teacher tenure, the elimination of mandatory fees could impact the unions’ ability to wage political battles to defend their turf and oppose proposals that put student achievement and parental choice at the center of every education improvement effort.

CER believes that the *Janus* case holds great potential for employees and could dramatically improve union-employee relationships. Overturning *Abood* will allow for teachers to associate as they see fit, providing teachers more freedom and independence to better serve their students. This will not bar union organizing but ensure unions prove their value to each member. Unions should celebrate the opportunity to prove their value to employees rather than relying on mandatory fees.

Instead, it is evident by the recent teachers’ union attacks on education reform that the unions fear the freedom *Janus* may bring to teachers, particularly as their funds are declining. Randi Weingarten, president of the American Federation of Teachers, the nation’s second-largest teachers’ union, has also scoffed at the idea that teachers are entitled to the same First Amendment rights as other employees.

Historically, public support for mandatory agency fees is low, and most Americans are unaware that teachers are pressured to join unions and forced to pay union fees even when they decline to join. A June 2017 survey by Education Next found that teachers oppose mandatory fees 47% to 44%, while the general public is 44% to 37% opposed.

As the public’s attention turns to *Janus v. AFSCME*, it is important to note that this case is bigger than one public employee or one union – this case could improve

the learning experience for students by dramatically empowering teachers nationwide, and change the course of American education.

Members of the media interested in writing about this in any aspect, CER's team can provide insights and commentary, and connect reporters with parents, teachers and those on the ground who will be most affected by the outcome of the case.

---

**MEDIA CONTACT: Tim Sullivan, *Chief Communications Officer***  
**[tim@edreform.com](mailto:tim@edreform.com) | (443) 532-2445**

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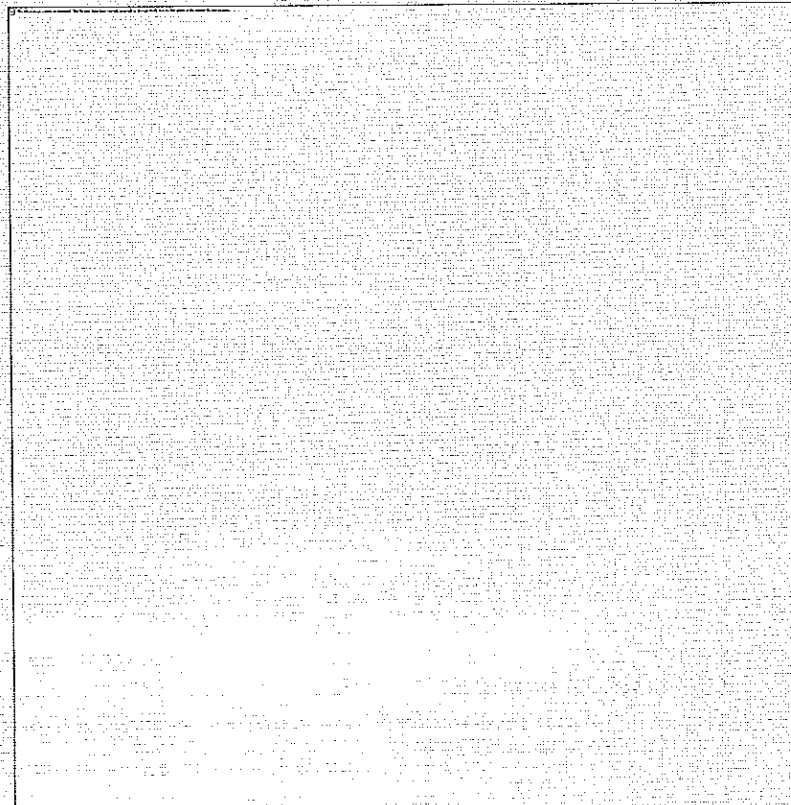
**From:** Morning Consult

**Sent:** Thursday, October 5, 2017 9:19 AM

**To:** Rep93

**Subject:** Morning Consult Washington, Presented by the Electronic Payments Coalition: Rep. Tim Murphy Won't Seek Re-election Next Year

**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

## Top Stories

- Rep. Tim Murphy (R-Pa.), a member of the House Pro-Life Caucus, said he will not seek re-election next year. The announcement came shortly after publication of a news report that said Murphy urged a woman, with whom he was having an extra-marital relationship, to get an abortion. ([Pittsburgh Post-Gazette](#))
- Key Republican senators, including John Cornyn (Texas) and John Thune (S.D.), said they are open to legislation that would ban the "slide fire" devices known as bump stocks, which were reportedly used in the Las Vegas shooting. Sen. Dianne Feinstein (D-Calif.) introduced the bill with the backing of several Senate Democrats. ([Politico](#))
- Senate Foreign Relations Committee Chairman Bob Corker (R-Tenn.) said Secretary of State Rex Tillerson, Defense Secretary James Mattis and White House Chief of Staff John Kelly "help separate our country from chaos," an apparent jab at President Donald Trump. Following news reports of conflict between Tillerson and Trump, Corker said Tillerson is "without the support and help that I'd like to see him have." ([CNN](#))
- Robert Mueller, the special counsel investigating Russia's influence on the 2016 U.S. presidential election, is looking into former British intelligence officer Christopher Steele's dossier that included allegations of Russian links to Trump's campaign and his associates. Steele has not spoken with the Senate Intelligence Committee, whose leaders provided an update Wednesday on their Russia investigation. ([Reuters](#))

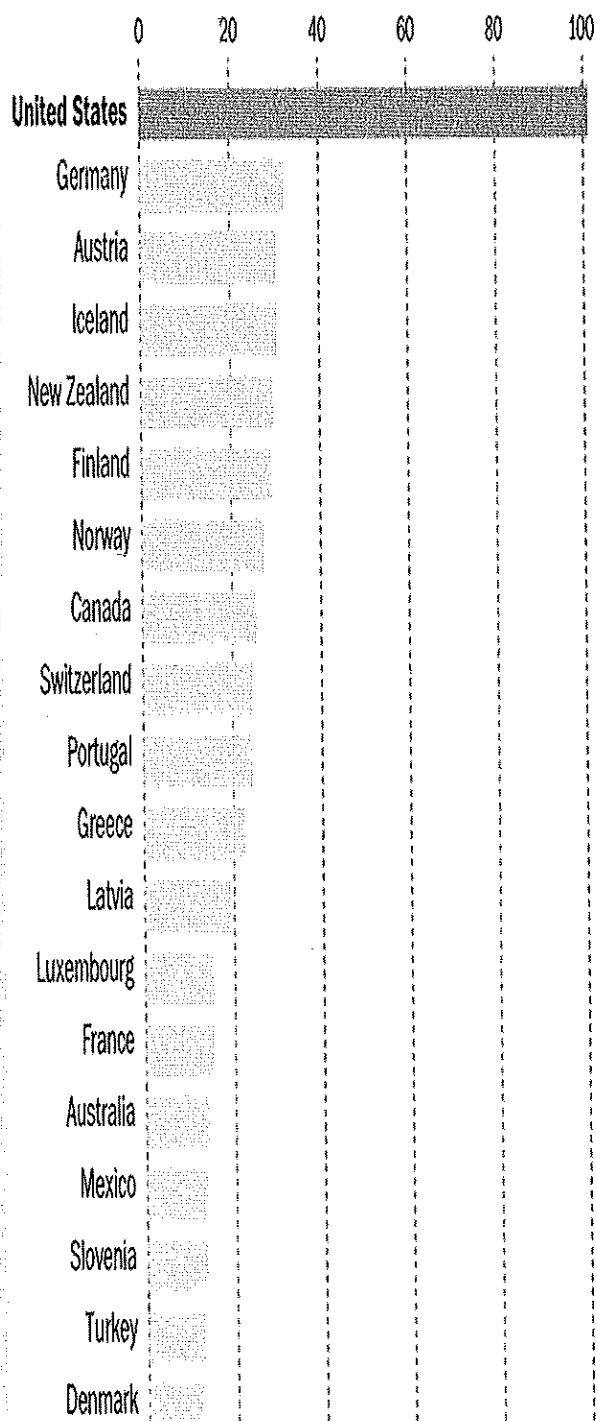
## Chart Review

Mass shootings: How U.S. gun culture compares with the rest of the world

The Washington Post

## HOW THE U.S. COMPARES TO THE OTHER DEVELOPED COUNTRIES IN GUN OWNERSHIP

Guns per 100 people





## Events Calendar (All Times Local)

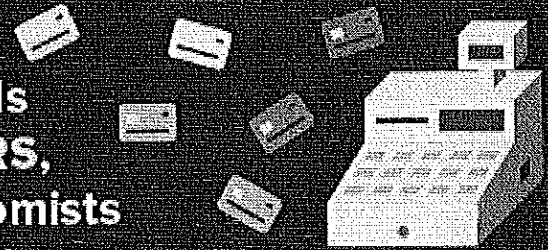
### THURSDAY

Sen. Cotton speaks at Washington Post event	9 a.m.
House Financial Services Committee hearing on Equifax breach	9:15 a.m.
Chairman of Council of Economic Advisers speaks at Tax Policy Center event	9:30 a.m.
Senate Budget Committee markup of fiscal year 2018 budget resolution	10:30 a.m.
Charles Koch speaks at Good Profit Conference	12 p.m.
Peterson Institute event on global economic prospects for 2017	12:15 p.m.
BPC event on Turkish relations	2 p.m.

### FRIDAY

No events scheduled

**Who are the Durbin  
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hurting most? CONSUMERS,  
say Federal Reserve economists**



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## **General**

### **3 Green Berets killed in ambush in Niger** **Barbara Starr et al., CNN**

Three Green Berets were killed and two others were wounded in southwest Niger near the Mali-Niger border when a joint US-Nigerien patrol was attacked Wednesday, officials told CNN. Two administration officials said the wounded US troops had been evacuated to the capital, Niamey, and would soon be moved to Germany.

### **Hurricane Damage in Puerto Rico Leads to Fears of Drug Shortages Nationwide** **Kate Thomas and Sheila Kaplan, The New York Times**

Federal officials and major drugmakers are scrambling to prevent national shortages of critical drugs for treating cancer, diabetes and heart disease, as well as medical devices and supplies, that are manufactured at 80 plants in hurricane-ravaged Puerto Rico. Pharmaceuticals and medical devices are the island's leading exports, and Puerto Rico has

become one of the world's biggest centers for pharmaceutical manufacturing.

**Ex-Trump adviser Paul Manafort conspired to mislead  
bankruptcy court, son-in-law charges**  
**Kevin McCoy and Brad Heath, USA Today**

As federal authorities investigate former Trump campaign chairman Paul Manafort's controversial ties to Russia, his estranged son-in-law is accusing him of conspiring to mislead a federal bankruptcy court about real estate investments. Jeffrey Yohai made the allegation on Sept. 28, in a case that centers on four troubled California real estate investments that collectively total millions of dollars.

**Ivanka and Donald Trump Jr. Were Close to Being Charged  
With Felony Fraud**  
**Jesse Eisinger et al., ProPublica and WNYC**

New York prosecutors were preparing a case. Then the D.A. overruled his staff after a visit from a top donor: Trump attorney Marc Kasowitz.

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## **Presidential**

**'Trump dossier' on Russia links now part of special counsel's  
probe: sources**  
**Mark Hosenball, Reuters**

The special counsel investigating whether Russia tried to sway the 2016 U.S. election has taken over FBI inquiries into a former British spy's dossier of allegations of Russian financial and personal links to President Donald Trump's campaign and associates, sources familiar with the inquiry told Reuters. A report compiled by former MI6 officer Christopher Steele identified Russian businessmen and others whom U.S.

intelligence analysts have concluded are Russian intelligence officers or working on behalf of the Russian government.

**NATO to Increase Counterterrorism Funding in Line With Trump Agenda**

**Julian E. Barnes, The Wall Street Journal**

The U.S. has reached an agreement with holdout France to increase NATO funding for counterterrorism programs, clearing a significant obstacle to the Trump administration's agenda for the alliance. Under the deal, allied diplomats said, the North Atlantic Treaty Organization's total budget, now \$1.6 billion, will rise next year by roughly 1%.

**The Trump administration has already been rolling back gun regulations**

**Beth Reinhard and Sari Horwitz, The Washington Post**

Donald Trump campaigned as a fierce defender of the Second Amendment and the favored candidate of the National Rifle Association, vowing to undo any actions by President Barack Obama on gun control. But when Trump nixed one of Obama's most significant efforts to expand background checks on prospective gun buyers, he did so without fanfare.

**Trump Speaks and a \$3.8 Trillion Market Hears an Existential Threat**

**Brian Chappatta, Bloomberg**

Even before Wall Street awoke, Wednesday looked like a wild day for the nation's \$3.8 trillion municipal-bond market. Few might have predicted just how wild things would get.

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## **Senate**

**Key GOP senators open to 'bump stock' ban**  
**John Bresnahan et al., Politico**

Top Senate Republicans said Wednesday they are open to considering legislation banning devices that were reportedly used to gun down scores of people in the worst mass shooting in modern American history. Bump stocks - also known as "slide fire" devices, which work by rapidly "bumping" the trigger of a semi-automatic weapon to boost the rate of fire - were reportedly used by Stephen Paddock to kill 58 people and wound more than 500 in Sunday's Las Vegas massacre.

**Corker: Tillerson, Mattis and Kelly 'separate our country from chaos'**  
**Sophie Tatum, CNN**

Tennessee Sen. Bob Corker said Wednesday that Secretary of State Rex Tillerson, Defense Secretary James Mattis and White House Chief of Staff John Kelly "help separate our country from chaos." "I think Secretary Tillerson, Secretary Mattis, and Chief of Staff Kelly are those people that help separate our country from chaos, and I support them very much," the Republican chairman of the Senate foreign relations committee told reporters Wednesday on Capitol Hill.

**Key Senator Lays Out a Path for Trump on Iran Nuclear Deal**  
**Kambiz Foroohar, Bloomberg**

A key U.S. senator long opposed to the 2015 nuclear agreement with Iran offered a path for President Donald Trump to distance himself from the accord without immediately quitting it, imposing new sanctions or carrying out military action. Arkansas Republican Tom Cotton, a member of the Armed Services Committee, said Trump should "decertify" Iran's compliance with the agreement in a report required by Congress every 90 days and next due on Oct. 15.

**Koch-backed group targets red-state Dems on tax reform**  
**Jonathan Easley, The Hill**

The fiscally conservative advocacy group Americans for Prosperity (AFP) is putting millions of dollars behind an ad-buy pressuring red-state Democrats up for reelection in 2018 to support the GOP's tax reform proposals. AFP, which is backed by billionaire Republican donors Charles and David Koch, has purchased \$4.5 million of air-time in three states, calling on Democratic Sens. Claire McCaskill (Mo.), Tammy Baldwin (Wis.) and Joe Donnelly (Ind.) to support a tax code overhaul.

**Roy Moore's Facebook page shared inflammatory memes, article praising Russia's anti-gay laws**  
**Andrew Kaczynski and Nathan McDermott, CNN**

The Facebook page belonging to Roy Moore, the Republican nominee for US Senate in Alabama, in February included a shared image of a group of black men standing on a destroyed police car during the 2015 Baltimore riots. Overlaying the image was text that read, "Want to stop riots? Play the National Anthem. They'll all sit down."

**Roy Moore's disruption of Washington has already begun, and more is on the way**  
**Sean Sullivan, The Washington Post**

Roy Moore didn't travel to Washington on Wednesday to kiss and make up with the Republican leaders who opposed his nomination to fill the Senate seat formerly held by Attorney General Jeff Sessions. He came to continue the revolt.

**As Messer and Rokita Squabble, Third GOP Indiana Senate Hopeful Sees Opening**  
**Griffin Connolly, Roll Call**

As Indiana Reps. Luke Messer and Todd Rokita try to out-insult each other in the Republican primary for the 2018 Indiana Senate race, a third

candidate seeks to quietly bypass the kerfuffle en route to the GOP nod. State Rep. Mike Braun has flooded his war chest with nearly \$800,000 of his own money and raised \$200,000 more, mostly from business associates of his automotive supply business.

**Schumer to visit WV for fundraiser**  
**Jake Zuckerman, Charleston Gazette-Mail**

One of the highest ranking congressional Democrats will visit West Virginia in November for a fundraiser hosted by the state Democratic Party. Senate Minority Leader Chuck Schumer, D-N.Y., will attend the annual dinner on Nov. 3 at the Charleston Civic Center, according to a news release from the party.

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## **House**

**Rep. Tim Murphy announces he will not seek re-election**  
**Tracie Mauriello and Chris Potter, Pittsburgh Post-Gazette**

Congressman Tim Murphy announced Wednesday that he will not seek re-election. "After discussions with my family and staff, I have come to the decision that I will not seek reelection to Congress at the end of my current term," the Upper St. Clair Republican said in a statement.

**Bannon Backs Grimm, Ex-Congressman and Felon, in G.O.P. Challenge**  
**Shane Goldmacher, The New York Times**

Michael Grimm, who is trying to win back his old House seat after serving time in federal prison, secured a notable new supporter on Wednesday: Stephen K. Bannon, President Trump's former chief strategist, who has sought to bolster the candidacies of populist outsiders since leaving the White House. The two met at Mr. Bannon's Capitol Hill townhouse on Wednesday afternoon, three days after Mr. Grimm

announced he was challenging Representative Dan Donovan of Staten Island for the Republican nomination in New York City's last G.O.P.-held congressional seat.

**South Carolina Democrat Archie Parnell Making 2018  
Announcement**  
**Simone Pathé, Roll Call**

South Carolina Democrat Archie Parnell is set to make a "major announcement" on Oct. 9 in his hometown of Sumter about his 2018 plans, raising the likelihood that he will make another run for the Palmetto State's 5th District. Parnell will also appear at a kickoff event for the York County Democratic Party in Rock Hill the same day.

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## **States**

**Democrat Northam leads Republican Gillespie in race for  
Virginia governor, new poll finds**  
**Gregory S. Schneider and Scott Clement, The Washington Post**

A relatively unified party base gives Democrat Ralph Northam a clear lead over Republican Ed Gillespie heading into the final month of the Virginia governor's race, according to a new Washington Post-Schar School poll. Northam leads Gillespie by 53 percent to 40 percent among likely voters, with 4 percent supporting Libertarian Cliff Hyra.

**School bullies could face criminal charges under Ohio bill**  
**Jessie Balmert, Cincinnati Enquirer**

School bullies who repeatedly torment their victims would face criminal charges under a new proposal from a Democratic lawmaker. Bullying can lead to violence, retaliation and even suicide, said Sen. Sandra Williams,



D-Cleveland, who said she recently intervened when a relative was repeatedly bullied at school.

**Missouri's Greitens Campaigns for Fellow Republicans**  
**The Associated Press**

Missouri Gov. Eric Greitens is traveling to Virginia to support fellow Republican Ed Gillespie's campaign for governor. Greitens' spokesman Parker Briden on Wednesday confirmed the first-time elected official's attendance as the featured speaker at the early Thursday event.

**NC House wants to examine MLS stadium idea. A Senate leader isn't sold**  
**Paul A. Specht, The News & Observer**

Two months after a soccer franchise owner announced his hopes to build a stadium on state-owned land in downtown Raleigh, state leaders are responding with proposed legislation. The North Carolina Football Club, which wants to jump from a second-tier league to Major League Soccer, in July unveiled a proposal to build a \$150 million stadium and entertainment complex at the corner of Salisbury and Peace streets in downtown Raleigh.

## **Advocacy**

**Facebook fights back**  
**David McCabe and Sara Fischer, Axios**

Facebook is stepping up its offensive to respond to questions about the role it played in Russian meddling in the 2016 presidential election. The moves come as it prepares to testify on Capitol Hill.

**Reddit hires first lobbyists**  
**Harper Neidig, The Hill**

The message board site Reddit has hired its first federal lobbyists, according to disclosure forms obtained this week. The move comes while lawmakers are increasingly scrutinizing web platform use by political entities.

**The UAE Secretly Picked Up the Tab for the Egyptian Dictatorship's D.C. Lobbying**  
**Zaid Jilani, The Intercept**

When Egypt went to work to establish the credibility of its repressive government in Washington, it had help from the United Arab Emirates Ambassador to the United States, Yousef Al Otaiba. Emails obtained by The Intercept show that Otaiba and the UAE essentially picked up the tab for Egypt's lobbyists in Washington, D.C.

---

**A Message from the Electronic Payments Coalition:**

The evidence is mounting: There are now at least a dozen studies that illustrate the failure of the Durbin amendment. In fact, a recent paper from Federal Reserve economists provides empirical evidence of harm to the consumer. Get the facts from the Electronic Payments Coalition.

---

**Opinions, Editorials and Perspectives**

**The Gun Control Mirage**  
**The Editorial Board, The Wall Street Journal**

Stephen Paddock's motives for his murderous rampage in Las Vegas on Sunday still aren't known, and neither are all the details of his plans and methods. But since our friends on the left have decided to make this a

debate over gun control, someone has to explain why their familiar solutions won't stop mass shootings.

**Donald Trump's Foreign Policy Circus**  
**The Editorial Board, The New York Times**

Another day, another embarrassing foreign policy circus in the nation's capital that can only further erode trust in American leadership at home and abroad. At its center is Rex Tillerson, who traded his job as top dog at the oil giant ExxonMobil to become secretary of state, only to find himself substantively and personally undercut by President Trump as recently as Sunday on the issue of Korea, where Mr. Tillerson wanted negotiations as Mr. Trump threatened war.

**This GOP tax proposal isn't fair. Here's what would be.**  
**Editorial Board, The Washington Post**

Gary Cohn, a Trump administration cheerleader for tax reform, said recently that the administration is "trying to get rid of all of the loopholes and all of the deductions that mostly wealthy people use." Unfortunately, that is not the case.

**Election Officials Attacked From All Sides on Purging Voter Rolls**  
**Rebecca Beitsch, The Pew Charitable Trusts**

Local and state election officials have long faced the difficult task of facilitating one of democracy's central tenets: figuring out who to take off outdated voter rolls without disenfranchising eligible voters. Increasingly, though, officials find themselves caught in the middle as competing interest groups from the right and left work - often through the court system - to influence how thousands of local election officials do their jobs.

## **A Message from the Electronic Payments Coalition:**

In a recent paper, Federal Reserve economists confirm what many industry experts have said before: The Durbin amendment harms consumers. There are now at least a dozen studies that illustrate why this failed policy must be repealed. Learn the truth from EPC.

---

## **Research Reports and Polling**

### **Disaster Relief: America's Response to Recent Hurricanes** **The Associated Press and NORC**

In the aftermath of the recent devastating hurricanes about half of Americans approve of how President Trump has handled disaster relief for the victims within the United States, but just a third approve of his response to those impacted in the U.S. territories, according to a new poll by The Associated Press-NORC Center for Public Affairs Research. Nearly half disapprove of his handling of disaster relief in Puerto Rico and the U.S. Virgin Islands.

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**From:** Government Relations Team  
**Sent:** Thursday, October 5, 2017 4:03 PM  
**To:** Rep93  
**Subject:** The Leaflet: Special Invitation

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the leaflet

Weekly policy updates from  
**THE HEARTLAND INSTITUTE** 

## Special Invitation: 2017 Emerging Issues Forum

*"Absolutely one of the best forums I have attended."  
-- Tennessee State Representative Sheila Butt*

The Heartland Institute would like to invite you to its 2017 Emerging Issues Forum and America First Energy Conference, which will be held November 7-9 at the J.W. Marriott Hotel in Houston, Texas.

The Emerging Issues Forum (EIF) will look to the future and explore state public policies in the areas of economics, education, health care, and more. Immediately following EIF, Heartland will host the America First Energy Conference. This event will examine President Donald Trump's bold proposal to transform the United States' energy goals beyond mere energy independence and determine where America stands today in the global energy market.



During these two conferences, elected officials, policy analysts, and government affairs professionals from more than 25 states will convene in Texas to explore innovative solutions to the top policy issues facing the states in 2018 and beyond.



**Admission is free for elected officials and legislative staff.** Registration includes admission to the forum and conference. The Heartland Institute also has a limited number of travel scholarships and complimentary accommodations at the host hotel still available for state lawmakers who become members of Heartland's Legislative Forum. If you are not currently a member of the Legislative Forum, membership is only \$99 for two years and \$179 for a lifetime - it pays for itself!

Below is just a small sample of what will be covered at the events:

**Health Care.** There are many steps states can take to encourage competition and reduce the cost of health care, despite federal inaction on Obamacare. Solutions that will be discussed include how states can use the waiver process to get more flexibility from federal Obamacare and Medicaid requirements. The panel will also discuss certificate of need laws, dental health care, and direct primary care.

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**Budget and Tax.** In recent months and years, some states have been passing right-to-work laws, lowering taxes, and reforming their public pension systems, while others have been increasing taxes and adding regulations. This panel will discuss which policies are working and which are failing.

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**Education.** Education outcomes in America continue to lag compared to other industrialized nations, but educational choice options such as education savings accounts and charter schools continue to expand in many states. This panel will analyze the roadblocks to transforming education and offer solutions for how states can expand education freedom for parents everywhere.

To reserve your place at the events or to join the Legislative Forum, contact Government Relations Coordinator Arianna Wilkerson at 312/377-4000 or by email at [awilkerson@heartland.org](mailto:awilkerson@heartland.org).

See you in November!

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## WHAT WE'RE WORKING ON

### Health Care

#### Research & Commentary: Dental Therapy Would Help with Michigan's Dentist Shortage

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines a new proposal offered in Michigan to improve access to dental care by expanding the role of dental therapists. "Allowing dental therapists to practice in more states would help to close gaps in dental care access and



ensure patients receive preventive and restorative treatments when and where they need them,” wrote Glans.

### **Budget & Tax**

#### WI State Rep. Rob Hutton: Prevailing Wage Repeal Protects Local and State Taxpayers

In this episode of the weekly *Budget & Tax News Podcast*, Managing Editor and Research Fellow Jesse Hathaway speaks with Wisconsin state Rep. Rob Hutton (R-Brookfield) about how Wisconsin lawmakers are protecting local and state taxpayers' money by including prevailing-wage repeal in the state's biennial budget bill. “Prevailing-wage laws require government agencies to regulate the compensation given to workers on government capital projects, such as school construction and road repair, Hutton says, instead of allowing businesses to set their own pay rates according to true market value.”

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### **Education**

#### Research & Commentary: Strike Vouchers Would Help Keep Vermont Children in Classrooms During Teacher Walkouts

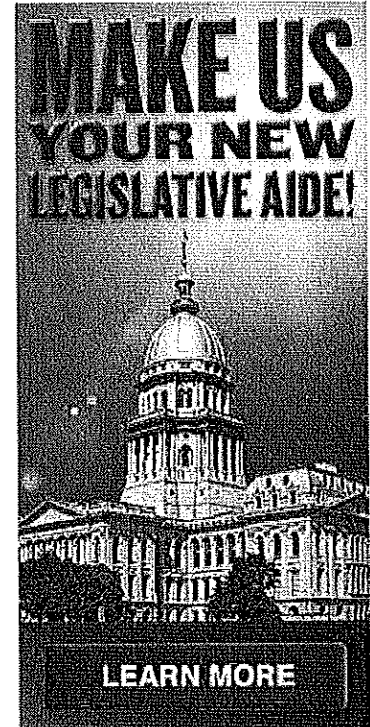
In this *Research & Commentary*, Tim Benson, a Heartland policy analyst, and Lennie Jarratt, project manager for Heartland's Center for Transforming Education, discuss a recent four-day strike by teachers in Burlington, Vermont. Benson and Jarratt argue their plan to implement strike vouchers and SOS accounts would help keep kids in the classroom during strikes and free as many families as possible from the constant tug-of-war occurring between teachers unions and school districts.

### **Energy & Environment**

#### President Streamlines Infrastructure Construction

This story from *Environment & Climate News* discusses President Donald Trump's sweeping executive order that eliminates and streamlines some permitting regulations. By improving these processes, the construction of critical infrastructure - such as roads, bridges, and pipelines - will be sped up. The order establishes a “one federal decision policy,” under which a single lead federal agency will work with others to complete environmental reviews and permitting decisions. All federal permitting decisions will have to be made within 90 days. The plan also rolls back standards set by President Barack Obama that had required the federal government when building infrastructure projects to assume in its plans there will be climate change and sea-level rise in the future.

**From Our Free-Market Friends**



### **POLICY NEWSPAPER**



The October 2017 issue of *Environment & Climate News* reports about the U.S. Court of Appeals for the District of Columbia ruling the Environmental Protection Agency exceeded its authority under the Clean Air Act. In a 2015 rule, EPA banned a number of hydrofluorocarbons (HFCs) and required companies to replace them with “greener” substances in their products. HFC manufacturers

### Bold New Approaches Needed for Louisiana


Daniel Erspamer, CEO of the Pelican Institute for Public Policy, recently wrote in *The Advocate* about the unemployment and income growth problems facing Louisianans and the pro-growth solutions that can solve them. Louisiana is one of four states that experienced a decline in median household income from 2015 to 2016, and it has one of the highest unemployment rates in the country. Erspamer calls for a transformation of the state's government, which continues to overspend, overtax, and overregulate. Pro-growth solutions include eliminating burdensome red tape, expanding education choice, and reforming the state's judicial system.

successfully argued in court the EPA could not lawfully implement such ban.

### Budget & Tax News

### Health Care News

### School Reform News

	<h3>The Heartland Institute</h3> <p>The Heartland Institute is a 33-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.</p>	<h3>Our Websites</h3> <p><a href="#"><u>The Heartland Institute</u></a> <a href="#"><u>PolicyBot</u></a> <a href="#"><u>The Freedom Pub</u></a> <a href="#"><u>The Parent Trigger</u></a> <a href="#"><u>Climate Conference</u></a></p> <p>= 9</p>
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The Heartland Institute  
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Arlington Heights, IL 60004

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**From:** Shane Easthom  
**Sent:** Tuesday, October 10, 2017 2:07 PM  
**To:** Rep93  
**Subject:** Please Oppose House Bill 298

Ryan Smith,

I am writing you today to ask that you oppose House Bill 298, legislation that will take away my right and the rights of many of your constituents to collectively bargain for a better life.

House Bill 298 takes language straight from Senate Bill 5 dealing with sick time and tries to pass it as a standalone. Senate Bill 5/ Issue 2 was soundly defeated in 2011 by Ohioans who believe that collective bargaining shouldn't be restricted by politicians in Columbus.

I am making sure that your constituents know the truth- that this is just the first step in trying to limit what we can collectively bargain for. Today, it's about sick time; tomorrow it's about how we collectively bargain over pay, safety in the workplace and the how we grieve unfair working conditions. Please help me fight back against attempts to silence my voice at the workplace by opposing House Bill 298.

We didn't send you to Columbus to limit our voice at the workplace. We elected you to stand up and speak for us, create good jobs in your district and raise everyone's wages. Please tell Representative Merrin that you are not interested in making it harder for your constituents to collectively bargain for a better life and that you are opposed to House Bill 298.

Thank you for your consideration in this matter. I look forward to hearing your position on this terrible legislation. Have a great day.

Shane Easthom

easthom99@hotmail.com

396 county road 70 lot 37

Proctorville , Ohio 45669

**From:** Rick Lundy  
**Sent:** Tuesday, October 10, 2017 5:13 PM  
**To:** Rep93  
**Subject:** Please Oppose House Bill 298

Ryan Smith,

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Thank you for your consideration in this matter. I look forward to hearing your position on this terrible legislation. Have a great day.

Rick Lundy  
rick\_lundy@ymail.com  
403 Riegel Ridge Rd  
Jackson , Ohio 45640

**From:** Floyd Wright  
**Sent:** Wednesday, October 11, 2017 10:16 PM  
**To:** Rep93  
**Subject:** Please Oppose House Bill 298

Ryan Smith,

I am writing you today to ask that you oppose House Bill 298, legislation that will take away my right and the rights of many of your constituents to collectively bargain for a better life.

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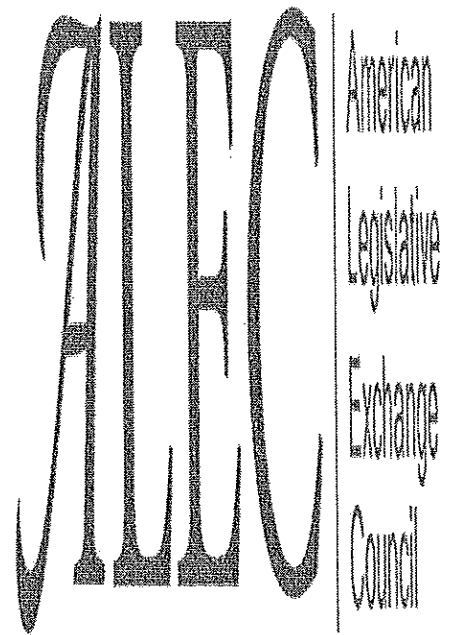
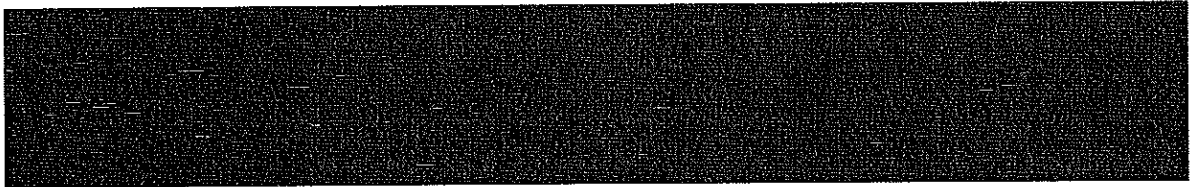
Floyd Wright.

flyd\_wrght@yahoo.com

511 Quail Creek Dr.

Gallipolis, Ohio 45631

**From:** Courtney Cook  
**Sent:** Wednesday, October 18, 2017 11:24 AM  
**To:** Rep93  
**Subject:** Look who is joining us



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December 6 - 8, 2017**

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**The Honorable Ken Cuccinelli**

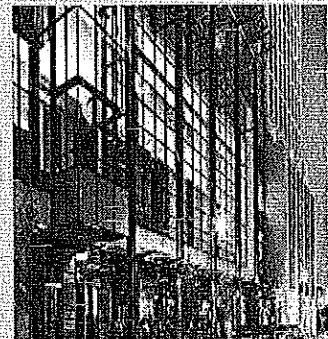


Learn from former Virginia Attorney General Ken Cuccinellie about how states can address the growing national debt. Grab a hearty breakfast, and be a part of the solution!

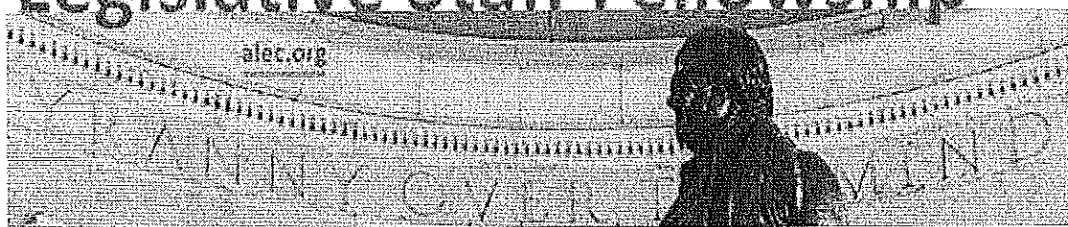
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## Legislative Staff Fellowship



**Only a few days left to have your staff take part in the Legislative Staff Fellowship.**  
**Has your staff applied?**

The ALEC Legislative Staff Fellowship consists of a series of online educational sessions and a three-day program of training and networking with legislative staff members from around the country at the 2017 States and Nation Policy Summit. The purpose of the training is to promote professional development and philosophical ideals throughout their careers as legislative staffers.

**Questions on applying?** Contact [Lacey White](#) for more information.



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Courtney Cook

ALEC

2900 Crystal Drive, 6th Floor

Arlington, VA 22202

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**From:** Nikki Comerford  
**Sent:** Friday, October 20, 2017 5:19 PM  
**To:** Rep93  
**Subject:** Labor Reform Policy Forum

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## Labor Reform Policy Forum

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Please join [Americans for Prosperity](#)-Columbus and The Heartland Institute for their "Policy Brief: Labor Reform in 2017" event, which will be held on Thursday, November 2, from 6:00 p.m. – 8:00 p.m. in Columbus, Ohio.

What impacts do labor regulations have on Ohio's employees



and businesses? Which policies are working, and which are stifling growth? What changes need to take place to meet the needs of our modern labor force? We aim to answer these questions and more at the "Policy Brief: Labor Reform in 2017" event.



**AMERICANS FOR  
PROSPERITY**

Americans for Prosperity-Columbus and The Heartland Institute will welcome Micah Derry, state director for Americans for Prosperity-Ohio, and Jesse Hathaway, research fellow for Heartland's Center on Budgets and Taxes, as guest panelists.

Our "Policy Brief" event series aims to update Ohioans on timely issues through bi-monthly discussions with policy experts. Attendees will have the opportunity to question speakers after each forum and network with other professionals throughout the evening.

**[Register Now](#)**

## Future Events

Saturday, November 4  
Educational Freedom Tour- stop 2  
O'Fallon, IL

Thursday, November 9  
America First Energy Conference  
Houston, TX

Thursday, November 16  
Dan Pilla talks about his chapter in Heartland's new book *Patriot's Tool Box*  
Arlington Heights, IL

Thursday, December 7  
Educational Freedom Tour - stop 3  
Bettendorf, IA

Saturday, December 9  
Helping Students Understand the Constitution  
Arlington Heights, IL

Wednesday, December 13  
Occupational Licensing

Arlington Heights, IL



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*Our events with activists and intellectuals are specifically designed to showcase freedom. We are close to your home with easy access and plenty of free parking, so we hope to see you at our Arlington Heights facility.*

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Nikki Comerford  
The Heartland Institute  
3939 North Wilke Road  
Arlington Heights, IL 60004

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**From:** Nikki Comerford

**Sent:** Saturday, October 21, 2017 9:26 AM

**To:** Rep93

**Subject:** WATCH LIVE TODAY AT 10AM (CT) THE EDUCATION FREEDOM TOUR KICK OFF EVENT

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 Freedom Rising

# Heartland Events

*Mark your calendar. Plan to attend. Be our guest.*

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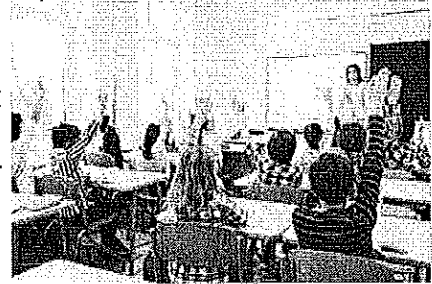
## **Education Freedom Tour Kickoff Event** **Watch live at 10AM (CT)**

Some of the issues that will be addressed:

- Why do your property taxes keep increasing?
- How is education funded in Illinois?

- Will the Chicago Public School District receive a state bailout?
- How can Illinois taxpayers fight to decrease property taxes?
- What is education freedom?
- Should parents be able to decide which school their child attends?
- What are the differences between public, private, and charter schools?
- What is the best way to implement education freedom: vouchers, education savings accounts, or tax-credit scholarships?

This event will help you learn more about education freedom and funding. After attending, you will be able to inform your family, friends, neighbors, legislators, school board members, and, most importantly, other parents about these significant issues.



#### **Schedule:**

- 10:15 am - Introduction of Heartland by Lennie Jarratt
- 10:20 am - Introduction of Americans for Prosperity
- 10:25 am - Andrew Nelms- Illinois property taxes
- 10:35 am - Representative Allen Skillicorn-Illinois property taxes and education choice
- 10:50 am - Lennie Jarratt-education choice
- 11:00 am - Panelist discussion
- 11:15 am - Audience Q & A

**Watch live!**

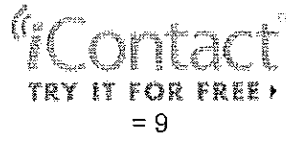
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Nikki Comerford

The Heartland Institute  
3939 North Wilke Road  
Arlington Heights, IL 60004



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**From:** Max Behlke  
**Sent:** Monday, October 2, 2017 6:01 PM  
**To:** Rep93  
**Subject:** NCS Capitol to Capitol: Congress Shifts to Tax Reform

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# CapitoltoCapitol

NATIONAL CONFERENCE *of* STATE LEGISLATURES



Oct. 2, 2017

## **Congress Shifts to Tax Reform**

On Sept. 27, Trump and the "Big Six"— which includes Senate Majority Leader Mitch McConnell (R-Ky.), Speaker Paul Ryan (R-Wis.), Senate Finance Chairman Orrin Hatch (R-Utah), House Ways and Means Chairman Kevin Brady (R-Texas), Treasury Secretary Steven Mnuchin and National Economic Council Director Gary Cohn — released their "unified framework" for overhauling the U.S. tax code. The nine-page document will serve as a starting point for tax writers in both the House and the Senate to hash out the rest of the details.

But before it fleshes out the details of tax reform, Congress will need to pass a budget resolution that includes tax reform instructions so that it can then use budget reconciliation for tax reform. Budget reconciliation is a legislative maneuver that allows the majority in the Senate to bypass the filibuster process, allowing them to pass legislation with 51 votes, instead of the normal 60. The House is expected to vote on its FY 2018 budget on Thursday. In the Senate, the full Budget Committee is expected to mark up its budget plan, which is quite different than the House bill, later this week.

Concerning tax reform, the Senate budget would allow tax writers to add as much as \$1.5 trillion to the deficit over 10 years, but the House budget would not allow a tax plan to add to the deficit. This is just one of several differences that the two chambers will have to reconcile before moving forward on a tax package. Budget aside, the White House is optimistic for a tax plan to move quickly through Congress. "We would hope to be in the Senate in November," Cohn told reporters last week. "And we would hope to have a bill done by this year."

Meanwhile, the administration and GOP leaders will need to package this plan and sell it to the public as tax relief for the middle class and not a windfall for the wealthiest Americans if they want the reform to make it across the finish line. They will also need to secure the necessary votes in the Senate, which is anything but assured given that the slim Republican majority can ill-afford to lose votes of support.

In sum, enacting a tax plan this year might be overly optimistic given the tight congressional calendar and lack of agreement on key policy details. While Republicans are desperate for a win and a legislative victory, tax reform is by no means an easy feat and the process may continue well into 2018.

NCSL Contacts: Max Behlke; Jake Lestock

## **NCSL Urges Preservation of the SALT Deduction**

On Sept. 27, NCSL released the following statement regarding the tax reform framework:

*As a central tenet of tax reform is to provide tax relief for the middle class, NCSL is dismayed that the released framework will eliminate a deduction that is vital to middle class taxpayers, the State and Local Tax (SALT) deduction. The SALT deduction has existed in the federal tax code since its inception, which coincidentally was also when the federal tax code was at its simplest, because federal tax writers were cognizant to not tax an individual's income twice.*

*Eliminating this deduction will lead to higher tax burdens for tens of millions of middle class taxpayers of every political affiliation, an outcome contrary to the stated goal of providing meaningful relief to taxpayers. The elimination of the SALT deduction also impedes the ability of states to invest in infrastructure, fund education, and provide the vital public services that Americans expect from their state and local governments.*

*Ensuring that the incomes of American workers are not taxed twice hardly counts as a special interest tax break or loophole that needs to be closed. NCSL strongly supports preservation of the SALT deduction and opposes any attempt to harm middle class taxpayers and their communities.*

*Protect state taxpayers. Protect local decision making. Protect SALT.*

NCSL Contacts: Max Behlke; Jake Lestock

**DYK?** The Coinage Act of 1792 established the U.S. Mint, created the dollar as the nation's standard unit of money, and regulated the country's coinage. Specifically, the law specified that \$10, \$5 and \$2.50 coins (known as eagles, half-eagles and quarter-eagles) were to be made of their face value in gold, while the dollar, half-dollar, quarter-dollar, dime and half-dime coins were to be made of their value in silver. Criminals found that they could make a profit by filing shavings from the sides of gold and silver coins, and selling it. It did not take long for the U.S. Mint to begin adding ridges to the coins' edges, a process called "reeding," to make it impossible to shave them down without the result being obvious. As a side benefit, the reeded edges make counterfeiting more difficult.



## SCOTUS Gerrymandering Case Could Reshape American Politics

"There is only one prediction that is entirely safe about the upcoming term, and that is it will be momentous."

- Justice Ruth Bader Ginsburg, Sept. 20, 2017

Today, the Supreme Court of the United States (SCOTUS) returns for what could be one of the most consequential terms of the court in recent memory. In addition to cases on immigration, religious freedom, and privacy already on the docket, it will hear oral arguments in a case about partisan gerrymandering in Wisconsin, where a federal court in November 2016 struck down a legislative map for being too partisan. In *Gill v. Whitford*, a panel of three federal judges ruled that the Wisconsin State Assembly map adopted in 2011 violated the First and 14th Amendments to the Constitution. If the court ultimately rules against the plaintiffs, it could mean that no amount of partisan bias could make electoral districts unconstitutional. But on the flipside, if the court sides with the plaintiffs, it could ultimately lead to drastic changes of electoral maps and how state legislatures draw them.

### DYK? On this day in...

- **1996:** President Bill Clinton signed the Electronic Freedom of Information Act Amendments (E-FOIA), which required executive branch agencies to make certain types of records, created on or after Nov. 1, 1996, to be made available electronically. The amendments also required agencies to provide electronic reading rooms for citizens to use and extended the response time to FOIA requests from 10 days to 20 business days.
- **1980:** Pennsylvania Congressman Michael Myers became the first member of either chamber of Congress to be expelled since the Civil War, for his involvement in the Abscam scandal. As part of the public corruption investigation, Myers was videotaped accepting a \$50,000 bribe from undercover FBI Agents.
- **1967:** Thurgood Marshall was sworn in as the first African-American justice of the Supreme Court of the United States.

## Senate Releases Bipartisan Autonomous Vehicle Legislation That Pre-empts States

On Sep. 28, Senate Commerce Committee Chairman John Thune (R-S.D.), and Senators Gary Peters (D-Mich.), Roy Blunt (R-Mo.), and Debbie Stabenow (D-Mich.) unveiled legislation regarding autonomous vehicles—the American Vision for Safer Transportation Through Advancement of Revolutionary Technologies (AV START)

Act. The AV START Act is similar to the House passed SELF DRIVE but it also contains several significant differences as well as areas of concerns for states, notably in the areas of pre-emption and safety evaluation reports. The Commerce Committee will consider the legislation at a markup schedule for Oct. 4.

### **Pre-emption**

The Senate committee bill currently includes a pre-emption section identical to that included in the bill passed by the House. Specifically, the language would pre-empt states from regulating the performance of automated driving systems (ADS) as well as any "unreasonable restrictions" concerning registration, licensing, driving education and training, insurance, law enforcement, crash investigations, safety and emissions inspections, congestion management of vehicles on the street within a state or political subdivision of a state, or traffic on the design, construction, or performance of highly automated vehicles or ADS. **NCSL Urges State Legislators to Contact their Congressional Delegations to Voice their Opposition to the Pre-Emption.**

Additionally, the bill would prohibit a state from issuing licenses for a dedicated highly automated vehicle (DHAV), which the bill defines as a level 4 or 5 automated vehicle, in a way that discriminates against those with disabilities.

A full NCSL analysis of the AV START legislation can be read [here](#).

*NCSL Contacts:* Ben Husch; Kristen Hildreth

### **A Deeper Dive on Transportation, Energy, Environment and Agriculture Policy**

For those looking for a deep dive on federal Transportation, Energy, Environment and Agriculture topics, please check out the September editions of our Natural Resources and Infrastructure Committee's three monthly newsletters:

- Energy & Agriculture Update - latest federal developments influencing agriculture and energy policy
- Environment Update - latest federal developments on environment policy
- Transportation Update - latest federal developments on transportation policy

*NCSL Contacts:* Ben Husch; Kristen Hildreth

**DYK?** Russia did not consider beer, or any beverage that contained less than 10 percent alcohol, to be alcoholic until 2011. They previously classified it as a soft drink. The new restrictions were signed off by then

President Dmitry Medvedev as part of an attempt to counter alcohol abuse, which he earlier called a "national calamity."

## **Supreme Court Will Hear Far-Reaching Union Case**

The Supreme Court of the United States agreed on Thursday to hear *Janus v. AFSCME*, a case challenging the legality of union fees that could have serious ramifications for public sector unions. The case revolves around Illinois state employee Mark Janus, who contends the requirement that he pay union fees to the American Federation of State, County, and Municipal Employees (AFSCME) violates his free speech rights. The justices considered this issue once before, when the Court took up *Friedrichs v. California Teachers Association* last year. That case was brought by a California teacher, Rebecca Friedrichs, and resulted in a 4-4 deadlock following the death of Justice Antonin Scalia. Should the justices vote the same way, Neil Gorsuch will be in a position to offer the final tie-breaking vote.

NCSL Contacts: Joan Wodiska, Lucia Bragg

## **Trump Signs Hurricane Relief Legislation for Schools, Issues Hurricane Relief Guidance**

The president signed S. 1866 into law on Friday after the bill passed through Congress last week. The bill offers various forms of support for schools and colleges impacted by the recent hurricanes. Specifically, the law:

- Allows the U.S. Department of Education to waive a requirement that higher education institutions contribute matching funds as part of the Federal Work Study and Supplemental Educational Opportunity Grant programs.
- Redistributes the unused funds in those programs to colleges affected by the hurricanes.
- Provides access for private schools to funds available under the Project School Emergency Response to Violence program.

The law comes on the heels of new non-regulatory hurricane relief guidance, issued by the department on Sept. 22. The guidance identifies areas of federal law that are subject to flexibility and waivers for grantees and program participants impacted by natural disasters. The guidance focuses on support and flexibility options available to schools, state educational agencies, state lead agencies, local educational agencies, local early intervention service programs and providers, State Vocational Rehabilitation agencies, the Department of the Interior's Bureau of Indian Education (BIE)-funded schools, Tribes, and postsecondary institutions with a

focus on the 2017 hurricanes. The department will hold a webinar discussing the details of the guidance on Thursday, Oct. 5 at 2 p.m. ET. Interested participants may register [here](#).

NCSL Contacts: Joan Wodiska, Lucia Bragg

## **HHS Secretary Pays Price for Travel**

On Friday, Health and Human Services Secretary Tom Price resigned for his use of private charter and military jets to travel around the country at taxpayer expense. Don Wright, a longtime U. S. Health and Human Services (HHS) career employee, doctor and public health expert was named acting HHS secretary Friday following Price's resignation. Soon after Price stepped down, Washington began speculating about possible candidates for his replacement, including:

- Scott Gottlieb, the commissioner of the Food and Drug Administration
- Seema Verma, the administrator of the Centers for Medicare and Medicaid Services
- David Shulkin, the secretary of veterans affairs
- Former Louisiana Governor Bobby Jindal
- Florida Governor Rick Scott

NCSL Contact: Haley Nicholson

## **Also of Note...**

Federal Funding for the Children's Health Insurance Program (CHIP), which covers 9 million children, expired on Sept. 30. If Congress does not act, the Kaiser Family Foundation expects 10 states to run out of money for the program by the end of the year, and 21 states will be out of money by March 2018.

NCSL Contact: Haley Nicholson

The National Flood Insurance Program, a federal program that aims to provide affordable flood insurance to property owners, has depleted its borrowing authority after a series of devastating hurricanes over the past several weeks. The Federal Emergency Management Agency (FEMA), which runs the program, notified Congress on Sept. 20 that it borrowed \$5.8 billion from the Treasury to fund losses this year, including those incurred by Hurricanes Harvey and Irma, and "anticipated programmatic activities." The balance of FEMA's remaining borrowing authority is now zero, according to the agency.

NCSL Contact: Ethan Wilson

Read the Sept. 25, 2017, Capitol-to-Capitol.

If you have comments or suggestions, please contact Max Behlke.

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the policy directives and resolutions adopted during NCSL's Legislative Summit.*



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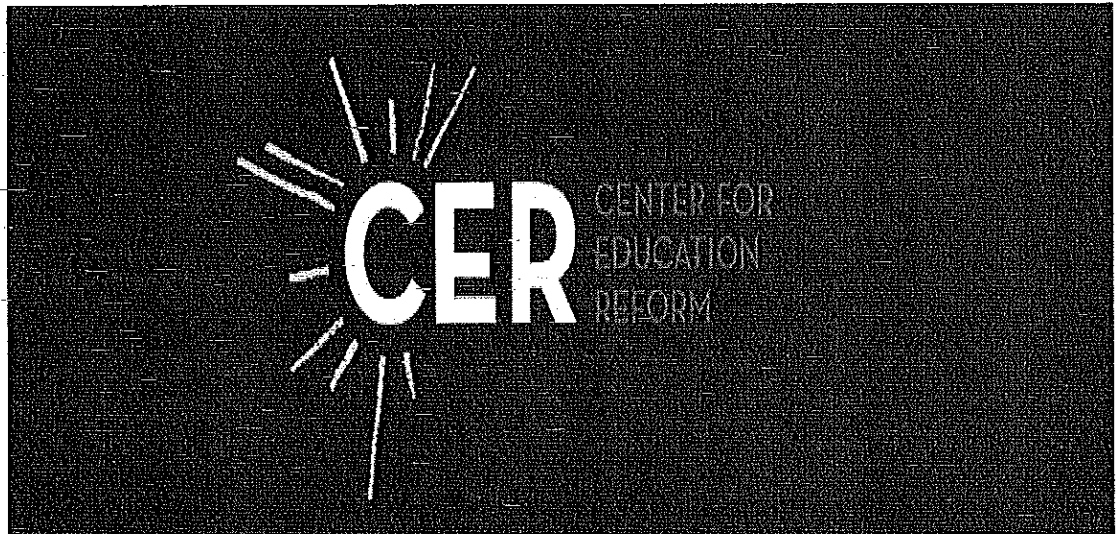
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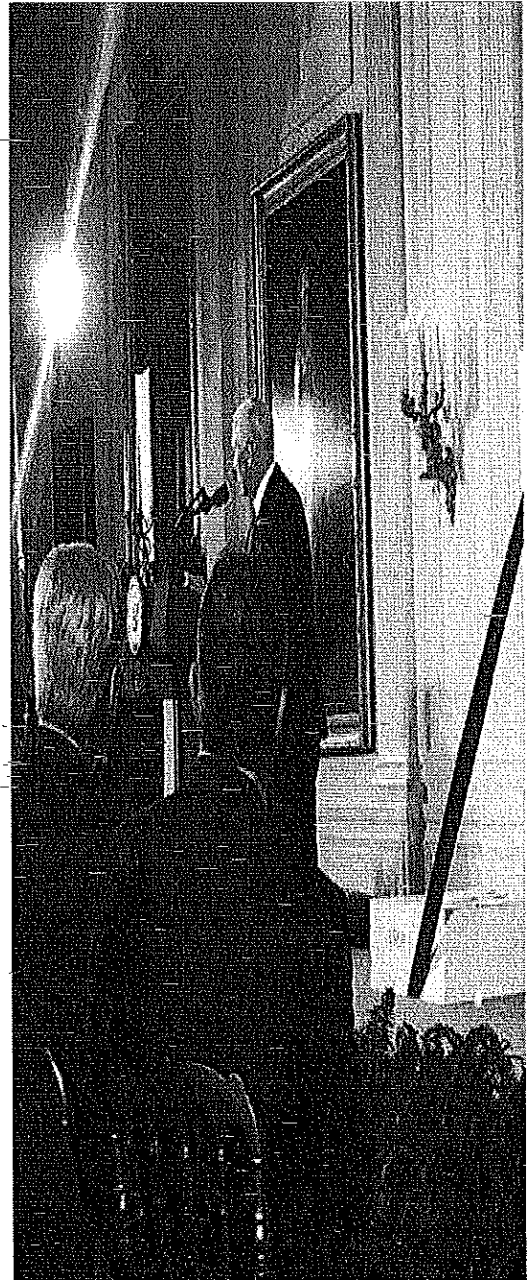
A weekly report on education news & commentary from the nation's leading voice on education innovation and opportunity

**BLACK COLLEGES & CHARTER SCHOOLS.** In opeds appearing around the country, Johnny C. Taylor, Jr., CEO of the Thurgood Marshall College Fund says HBCUs are intricately connected to the movement for better opportunities for students and opposition from groups like the NAACP and the AFT aren't helpful whatsoever. "Better parental choices are, frankly, a matter of life or death for many of our country's Historically Black Colleges & Universities. And the only way to impact that is to ensure that high-quality secondary school choices abound and that parents are aware of the options that exist to help them take their families out of traditional district schools that have long failed

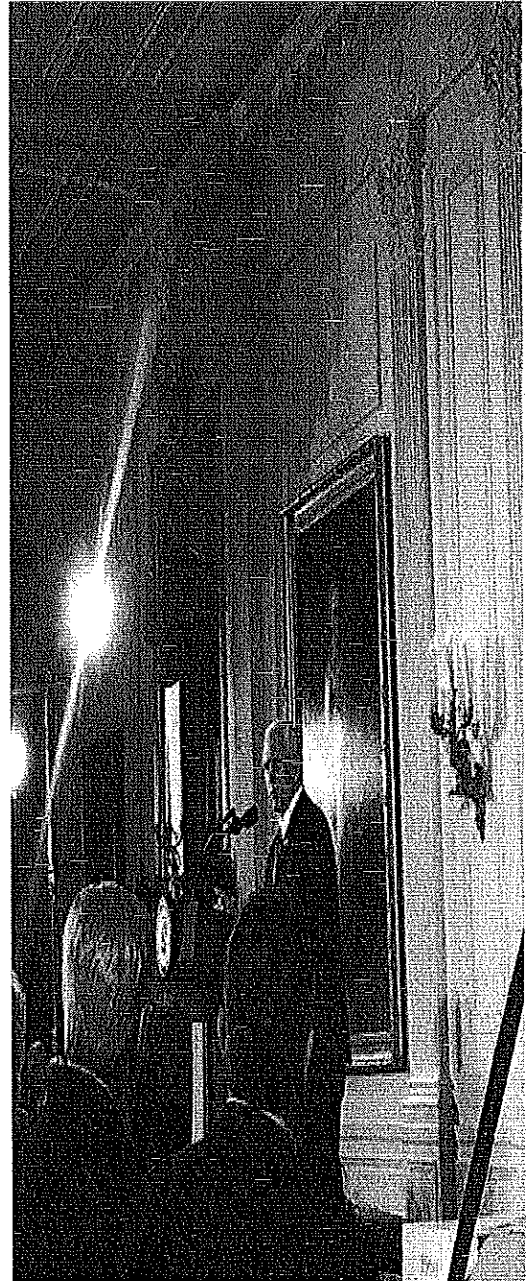
their precious youth." More at the CER [Voices of Color, Voices for Opportunity](#) page and [here](#) .

**UNCHAINED MELODY.** Yesterday was "Cut the Red Tape" day in Washington. We participated at the White House kick-off hosted by VP Mike Pence. No matter where you stand politically, you've gotta give this Administration credit for its honest efforts to trim back the regulatory briar patch that entangles us all. The Council of Economic Advisors has issued a nifty report on the subject, "The Growth Potential of Deregulation". We voted "Yes" on ending bureaucracy and made our feelings on the subject known last January in our own nifty little report, "[The First Hundred Days: The path to going bold on education innovation & opportunity](#)". Among the recommendations - a commission to explore opportunities to send funds to states to use on innovative, flexible learning arrangements. We recommended the ED Feds also "review all federal regulations and the thousands of non-statutory guidelines that are essentially bureaucratic dictates accumulated over time, governing the distribution of state and local funds such that states might feel free to do as the law intended, but that federal policy was created to obscure." They have indeed undertaken that process. A report that promises to identify bureaucratic offenders with a recipe for change is expected by year's end.

**A REAL STEM-WINDER.** In another White House-driven initiative, last week the President sent an official memorandum to the Secretary of Education; subject: "Increasing Access to High-Quality Science, Technology, Engineering, and Mathematics (STEM) Education." The memo directs the Secretary to make STEM education "...including, in particular, computer science," a priority, and to take it into account when awarding grant funds. The initiative has a goal of devoting at least \$200 million in grant funds to the effort per year beginning in FY '18, which began October 1. Exactly when these funds kick-in and how to go about getting them is not yet known, and we'll let you know more as soon as we can find someone with some answers. In the meantime, all innovators, charters and innovative districts within the sound of our voice, should be working up grant proposals NOW!







**DON'T MISS OUT. EDTECH NY IS ON THE HORIZON.** New York Ed Tech Week, The Global Education Innovation Festival, is coming up December 18-20, and you may want to make plans to attend while early-bird tickets are still available. Join great people, important topics and informative speakers (including CER's own Jeanne Allen). It is really a must-attend year-end event.

Produced by StartED, Ed Tech Week facilitates some of the most impactful and memorable ed-tech experiences of the year, bringing together more than 200 companies, 200 investors, and 1,500 attendees which includes technology innovators, early-stage investors, EdTech entrepreneurs, media representatives, policymakers, corporations, educators, and students.

[View the full program](#)

Founded in 1993, the Center for Education Reform aims to expand educational opportunities that lead to improved economic outcomes for all Americans — particularly our youth — ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education.

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**From:** Nikki Comerford  
**Sent:** Wednesday, October 4, 2017 7:18 AM  
**To:** Rep93  
**Subject:** WATCH LIVE TODAY AT 12:30 (CT) A talk on tax reform



From the desk of

**Nikki Comerford**

Events Manager  
[ncomerford@heartland.org](mailto:ncomerford@heartland.org)  
312/377-4000

---

Our friends at Americans for Prosperity are hosting an event at The Heartland Institute on Wednesday, October 4. I hope you can watch it live!

--Nikki

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You're not alone. America's tax code is endlessly complex, convoluted, and difficult to navigate. Tax preparation costs **Americans more than \$230 billion** each year. Our tax code is clearly broken.

*But there is hope for tax relief this year!*

Congress is making comprehensive tax reform a major legislative priority. I'd like to personally invite you to join AFP Illinois on Wednesday, October 4, for a lunchtime tax reform panel discussion featuring two former members of Congress who have excellent credentials: Joe Walsh (R-IL), who has a lifetime AFP score of 100%, and Tim Huelskamp (R-KS), who has a lifetime AFP score of 98%.

**WATCH LIVE!**

This is an exciting opportunity to learn more about AFP's positive vision to

unrig the American economy and Congress's once-in-a-generation opportunity to pass pro-growth tax reform.

**WHAT:** *AFP-Illinois presents:* A tax reform panel discussion with former congressman and Heartland Institute President Tim Huelskamp and former congressman and current talk show host Joe Walsh.

**WHERE:** The Heartland Institute, 3939 North Wilke Road, Arlington Heights, IL 60004.

**WHEN:** Wednesday, October 4, 12:30 p.m. to 2:00 p.m.

**WATCH LIVE**

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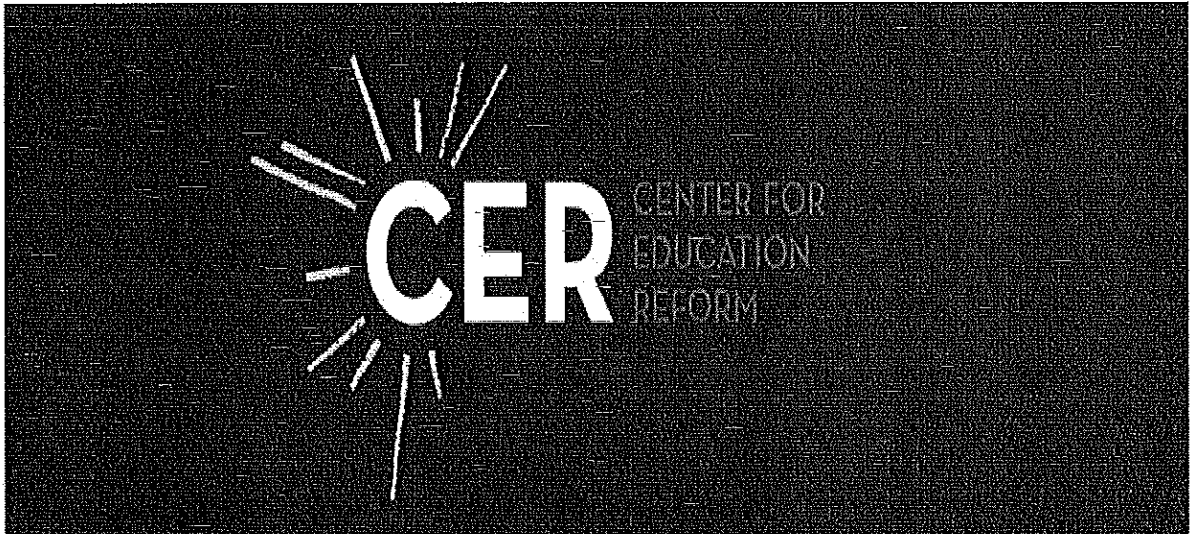
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October 4, 2017

## **Memo to Reporters**

From: Jeanne Allen, founder & CEO, the Center for Education Reform

### **Re: U.S. Supreme Court case holds promise for teacher freedoms**

Leaders of organizations and schools across the education reform arena are enthusiastic that on Thursday, September 28, the Supreme Court of the United States (SCOTUS) agreed to hear arguments in *Janus v. AFSCME*. The case was brought forth by Mark Janus, an Illinois Department of Healthcare and Family Services public employee who believes that forced unionism and the mandatory paying of fees violates his First Amendment rights. A favorable outcome in *Janus* could pave the way for a loosening on the stranglehold of other public sector employees compelled to pay mandatory union fees. Public school teachers, in particular, stand to benefit from the freedom that would allow them to make their own decisions as to whether or not they pay union dues and fees.

## TOP 5 TAKEAWAYS IF SCOTUS RULES IN FAVOR OF *JANUS*:

- Free millions of workers – public school teachers included – from compelled association—a clear violation of the First Amendment
- Millions of workers will no longer be compelled to pay union fees when opting out of union representation
- In addition to more take-home pay, teachers will have more freedom to innovate when opting out of mandated association with teachers' unions
- A pro-Janus ruling will have no impact on the ability for unions to organize and function
- The union-employee relationship should improve as unions will demonstrate their value to existing and future members

The case has been winding its way through Federal courts since early 2015 and was stayed pending an outcome in *Friedrichs v. California Teachers Association*, a case that was deadlocked 4-4 after the tragic passing of Justice Antonin Scalia. While the *Janus* case was initially dismissed by U.S. District Court after that *Friedrichs* ruling, the employees, backed by the National Right to Work Foundation, appealed to the 7th U.S. Circuit Court of Appeals in October 2016 which, as expected, upheld the lower court's decision – paving the way for an appeal to the U.S. Supreme Court. On June 6, 2017, a petition for Writ of Certiorari was filed and later accepted by SCOTUS. Now the 40-year old ruling in *Aboud v. Detroit Board of Education* which created the current system allowing mandatory fees paid to public unions could very well be overturned.

It's important to note that the case started with an executive order issued by Illinois Governor Bruce Rauner, who sought to abolish mandatory collective bargaining pending review of its constitutionality. Since 2012, six states have passed laws strengthening workers' rights and freedom from having to pay



mandatory union fees. What is most notable is at least three of these states are “blue-to-purple” states with historic ties to organized labor, including Michigan, Wisconsin and West Virginia. Following these laws, teachers’ union membership dropped 20% in Michigan and 58% in Wisconsin. More state policymakers throughout the country are focused on the upcoming *Janus* case review. With teachers’ union-driven pension rules and union-backed laws that protect uniform pay scales, eschew performance pay and mandate teacher tenure, the elimination of mandatory fees could impact the unions’ ability to wage political battles to defend their turf and oppose proposals that put student achievement and parental choice at the center of every education improvement effort.

CER believes that the *Janus* case holds great potential for employees and could dramatically improve union-employee relationships. Overturning *Abood* will allow for teachers to associate as they see fit, providing teachers more freedom and independence to better serve their students. This will not bar union organizing but ensure unions prove their value to each member. Unions should celebrate the opportunity to prove their value to employees rather than relying on mandatory fees.

Instead, it is evident by the recent teachers’ union attacks on education reform that the unions fear the freedom *Janus* may bring to teachers, particularly as their funds are declining. Randi Weingarten, president of the American Federation of Teachers, the nation’s second-largest teachers’ union, has also scoffed at the idea that teachers are entitled to the same First Amendment rights as other employees.

Historically, public support for mandatory agency fees is low, and most Americans are unaware that teachers are pressured to join unions and forced to pay union fees even when they decline to join. A June 2017 survey by Education Next found that teachers oppose mandatory fees 47% to 44%, while the general public is 44% to 37% opposed.

As the public’s attention turns to *Janus v. AFSCME*, it is important to note that this case is bigger than one public employee or one union – this case could improve

the learning experience for students by dramatically empowering teachers nationwide, and change the course of American education.

Members of the media interested in writing about this in any aspect, CER's team can provide insights and commentary, and connect reporters with parents, teachers and those on the ground who will be most affected by the outcome of the case.

---

**MEDIA CONTACT: Tim Sullivan, *Chief Communications Officer***  
**[tim@edreform.com](mailto:tim@edreform.com) | (443) 532-2445**

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Founded in 1993, the Center for Education Reform aims to expand educational opportunities that lead to improved economic outcomes for all Americans — particularly our youth — ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education.

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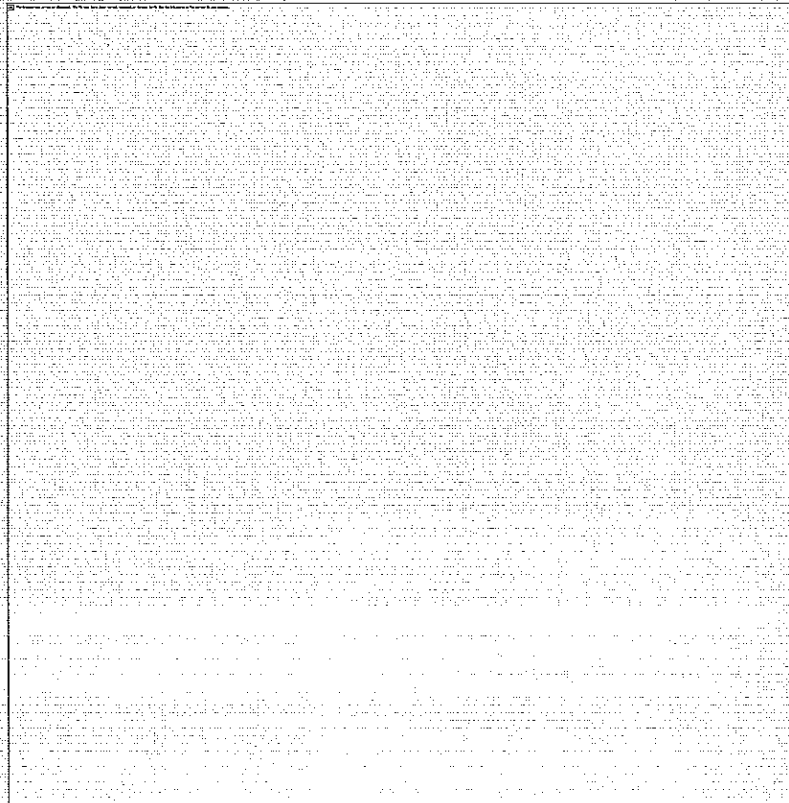
**From:** Morning Consult

**Sent:** Thursday, October 5, 2017 9:19 AM

**To:** Rep93

**Subject:** Morning Consult Washington, Presented by the Electronic Payments Coalition: Rep. Tim Murphy Won't Seek Re-election Next Year

**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

## Top Stories

- Rep. Tim Murphy (R-Pa.), a member of the House Pro-Life Caucus, said he will not seek re-election next year. The announcement came shortly after publication of a news report that said Murphy urged a woman, with whom he was having an extra-marital relationship, to get an abortion. ([Pittsburgh Post-Gazette](#))
- Key Republican senators, including John Cornyn (Texas) and John Thune (S.D.), said they are open to legislation that would ban the "slide fire" devices known as bump stocks, which were reportedly used in the Las Vegas shooting. Sen. Dianne Feinstein (D-Calif.) introduced the bill with the backing of several Senate Democrats. ([Politico](#))
- Senate Foreign Relations Committee Chairman Bob Corker (R-Tenn.) said Secretary of State Rex Tillerson, Defense Secretary James Mattis and White House Chief of Staff John Kelly "help separate our country from chaos," an apparent jab at President Donald Trump. Following news reports of conflict between Tillerson and Trump, Corker said Tillerson is "without the support and help that I'd like to see him have." ([CNN](#))
- Robert Mueller, the special counsel investigating Russia's influence on the 2016 U.S. presidential election, is looking into former British intelligence officer Christopher Steele's dossier that included allegations of Russian links to Trump's campaign and his associates. Steele has not spoken with the Senate Intelligence Committee, whose leaders provided an update Wednesday on their Russia investigation. ([Reuters](#))

## Chart Review

Mass shootings: How U.S. gun culture compares with the rest of the world

The Washington Post

## HOW THE U.S. COMPARES TO THE OTHER DEVELOPED COUNTRIES IN GUN OWNERSHIP

Guns per 100 people



## Events Calendar (All Times Local)

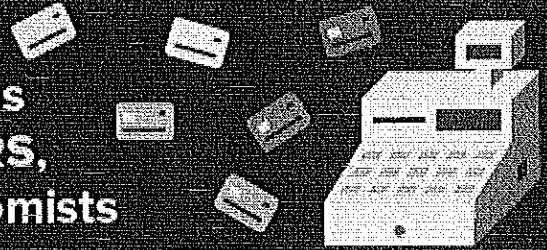
### THURSDAY

Sen. Cotton speaks at Washington Post event	9 a.m.
House Financial Services Committee hearing on Equifax breach	9:15 a.m.
Chairman of Council of Economic Advisers speaks at Tax Policy Center event	9:30 a.m.
Senate Budget Committee markup of fiscal year 2018 budget resolution	10:30 a.m.
Charles Koch speaks at Good Profit Conference	12 p.m.
Peterson Institute event on global economic prospects for 2017	12:15 p.m.
BPC event on Turkish relations	2 p.m.

### FRIDAY

No events scheduled

**Who are the Durbin amendment's price controls hurting most? CONSUMERS, say Federal Reserve economists**



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## **General**

### **3 Green Berets killed in ambush in Niger** **Barbara Starr et al., CNN**

Three Green Berets were killed and two others were wounded in southwest Niger near the Mali-Niger border when a joint US-Nigerien patrol was attacked Wednesday, officials told CNN. Two administration officials said the wounded US troops had been evacuated to the capital, Niamey, and would soon be moved to Germany.

### **Hurricane Damage in Puerto Rico Leads to Fears of Drug Shortages Nationwide** **Kate Thomas and Sheila Kaplan, The New York Times**

Federal officials and major drugmakers are scrambling to prevent national shortages of critical drugs for treating cancer, diabetes and heart disease, as well as medical devices and supplies, that are manufactured at 80 plants in hurricane-ravaged Puerto Rico. Pharmaceuticals and medical devices are the island's leading exports, and Puerto Rico has



become one of the world's biggest centers for pharmaceutical manufacturing.

**Ex-Trump adviser Paul Manafort conspired to mislead bankruptcy court, son-in-law charges**  
**Kevin McCoy and Brad Heath, USA Today**

As federal authorities investigate former Trump campaign chairman Paul Manafort's controversial ties to Russia, his estranged son-in-law is accusing him of conspiring to mislead a federal bankruptcy court about real estate investments. Jeffrey Yohai made the allegation on Sept. 28, in a case that centers on four troubled California real estate investments that collectively total millions of dollars.

**Ivanka and Donald Trump Jr. Were Close to Being Charged With Felony Fraud**  
**Jesse Eisinger et al., ProPublica and WNYC**

New York prosecutors were preparing a case. Then the D.A. overruled his staff after a visit from a top donor: Trump attorney Marc Kasowitz.

---

## **Presidential**

**'Trump dossier' on Russia links now part of special counsel's probe: sources**  
**Mark Hosenball, Reuters**

The special counsel investigating whether Russia tried to sway the 2016 U.S. election has taken over FBI inquiries into a former British spy's dossier of allegations of Russian financial and personal links to President Donald Trump's campaign and associates, sources familiar with the inquiry told Reuters. A report compiled by former MI6 officer Christopher Steele identified Russian businessmen and others whom U.S.

intelligence analysts have concluded are Russian intelligence officers or working on behalf of the Russian government.

**NATO to Increase Counterterrorism Funding in Line With Trump Agenda**

**Julian E. Barnes, The Wall Street Journal**

The U.S. has reached an agreement with holdout France to increase NATO funding for counterterrorism programs, clearing a significant obstacle to the Trump administration's agenda for the alliance. Under the deal, allied diplomats said, the North Atlantic Treaty Organization's total budget, now \$1.6 billion, will rise next year by roughly 1%.

**The Trump administration has already been rolling back gun regulations**

**Beth Reinhard and Sari Horwitz, The Washington Post**

Donald Trump campaigned as a fierce defender of the Second Amendment and the favored candidate of the National Rifle Association, vowing to undo any actions by President Barack Obama on gun control. But when Trump nixed one of Obama's most significant efforts to expand background checks on prospective gun buyers, he did so without fanfare.

**Trump Speaks and a \$3.8 Trillion Market Hears an Existential Threat**

**Brian Chappatta, Bloomberg**

Even before Wall Street awoke, Wednesday looked like a wild day for the nation's \$3.8 trillion municipal-bond market. Few might have predicted just how wild things would get.

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## **Senate**

**Key GOP senators open to 'bump stock' ban**  
**John Bresnahan et al., Politico**

Top Senate Republicans said Wednesday they are open to considering legislation banning devices that were reportedly used to gun down scores of people in the worst mass shooting in modern American history. Bump stocks - also known as "slide fire" devices, which work by rapidly "bumping" the trigger of a semi-automatic weapon to boost the rate of fire - were reportedly used by Stephen Paddock to kill 58 people and wound more than 500 in Sunday's Las Vegas massacre.

**Corker: Tillerson, Mattis and Kelly 'separate our country from chaos'**  
**Sophie Tatum, CNN**

Tennessee Sen. Bob Corker said Wednesday that Secretary of State Rex Tillerson, Defense Secretary James Mattis and White House Chief of Staff John Kelly "help separate our country from chaos." "I think Secretary Tillerson, Secretary Mattis, and Chief of Staff Kelly are those people that help separate our country from chaos, and I support them very much," the Republican chairman of the Senate foreign relations committee told reporters Wednesday on Capitol Hill.

**Key Senator Lays Out a Path for Trump on Iran Nuclear Deal**  
**Kambiz Foroohar, Bloomberg**

A key U.S. senator long opposed to the 2015 nuclear agreement with Iran offered a path for President Donald Trump to distance himself from the accord without immediately quitting it, imposing new sanctions or carrying out military action. Arkansas Republican Tom Cotton, a member of the Armed Services Committee, said Trump should "decertify" Iran's compliance with the agreement in a report required by Congress every 90 days and next due on Oct. 15.

**Koch-backed group targets red-state Dems on tax reform**  
**Jonathan Easley, The Hill**

The fiscally conservative advocacy group Americans for Prosperity (AFP) is putting millions of dollars behind an ad-buy pressuring red-state Democrats up for reelection in 2018 to support the GOP's tax reform proposals. AFP, which is backed by billionaire Republican donors Charles and David Koch, has purchased \$4.5 million of air-time in three states, calling on Democratic Sens. Claire McCaskill (Mo.), Tammy Baldwin (Wis.) and Joe Donnelly (Ind.) to support a tax code overhaul.

**Roy Moore's Facebook page shared inflammatory memes, article praising Russia's anti-gay laws**  
**Andrew Kaczynski and Nathan McDermott, CNN**

The Facebook page belonging to Roy Moore, the Republican nominee for US Senate in Alabama, in February included a shared image of a group of black men standing on a destroyed police car during the 2015 Baltimore riots. Overlaying the image was text that read, "Want to stop riots? Play the National Anthem. They'll all sit down."

**Roy Moore's disruption of Washington has already begun, and more is on the way**  
**Sean Sullivan, The Washington Post**

Roy Moore didn't travel to Washington on Wednesday to kiss and make up with the Republican leaders who opposed his nomination to fill the Senate seat formerly held by Attorney General Jeff Sessions. He came to continue the revolt.

**As Messer and Rokita Squabble, Third GOP Indiana Senate Hopeful Sees Opening**  
**Griffin Connolly, Roll Call**

As Indiana Reps. Luke Messer and Todd Rokita try to out-insult each other in the Republican primary for the 2018 Indiana Senate race, a third